



MEMORANDUM

ADOPTED AS AMENDED / 10-25-2021

AGENDA ITEM #III.C

DATE: OCTOBER 25, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: REGIONAL ISSUES: COMPREHENSIVE PLAN AMENDMENT REVIEWS MIAMI-DADE COUNTY CDMP AMENDMENT # 21-02ESR – CDMP20210003 and CDMP20210008

Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to:

- (1) adverse effects on regional resources and facilities identified in the SRPP, and
- (2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Economic Opportunity certifies its completeness.

Agency review comments pursuant to Section 163.3184, Florida Statutes, are to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.



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Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
Miami-Dade County 21-02 ESR	√	N/A	10/25/2021	09-09-21 Adoption 09-22-21 Transmittal

The Council has completed its review of the proposed amendment package from Miami-Dade County. The amendment package contains two amendments:

- **CDMP20210003** relates to the development of a proposed South Dade Logistics & Technology District East of the Turnpike and outside of the Urban Development Boundary.
- **CDMP20210008** is a new Private Property Rights Element pursuant to section 163.3177(6)(i) of the Florida Statutes.

SUMMARY

Amendment # 1

(I) **CDMP20210003** - The proposed amendment related to the South Dade Logistics & Technology District would:

- Expand the 2030 Urban Development Boundary (UDB) to include the ±793-acre application site.
- Redesignate the application site on the CDMP Adopted 2030 and 2040 Land Use Plan (LUP) map from “Agriculture” to “Special District”.
- Amend the interpretative text of the Land Use Element to create the “South Dade Logistics & Technology District”.
- Amend Policy LU-8H in the CDMP Land Use Element
- Amend Policy CM-9A in the CDMP Coastal Management Element.
- Add a Declarations of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.

The intent of the proposed development is to allow for more than 9 million square feet of industrial development in three phases as well commercial uses and a hotel. The third phase of the development is being proposed in the center third of the area. No concurrent zoning application was submitted as is normally required by the Miami-Dade County UDB expansion process.

Phase Development Assignment

- Phase I 2,696,935 industrial square feet with maximum of 20,000 commercial square feet
- Phase IIA 1,983,120 industrial square feet
- Phase IIB 367,580 industrial square feet
- Phase IIC 70,000 square feet of commercial plus 150-room hotel
- Phase IID 10,000 square feet of commercial
- Phase III 4,277,234 industrial square feet plus 20,000 square feet of commercial

- The amendment related to the expansion of the UDB is located south of the Homestead Extension of the Florida Turnpike (HEFT), between SW 107 Avenue and SW 122 Avenue, and north of SW 268 Street (Moody Drive).
- The amendment related to the expansion of the UDB could potentially have adverse effects on regional resources and facilities identified in the *Strategic Regional Policy Plan* and may have extra-jurisdictional impacts that are inconsistent with the comprehensive plan of affected local governments within the Region. The potentially affected regional resources and facilities include Florida's Turnpike, the Biscayne Aquatic Preserve, Biscayne National Park, and critical wildlife habitat.

The Council offers the following comments and recommendations for revising the proposed amendment package and requests that the County address these comments, and those of state commenting agencies, prior to the adoption of Amendment CDMP20210003. Specifically, the Council requests that Miami-Dade County conduct further coordination and assessment on the following issues to determine if there would be adverse effects to the following regional resources and facilities.

Biscayne Bay Aquatic Preserve and Biscayne National Park

Natural Resources of Regional Significance (SRPP NRRS Map 1)

The implementation of the **Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project** aims to restore the ecosystem health of Biscayne Bay, and more coordination on the Project between the County, the South Florida Water Management District and the U.S. Army Corps of Engineers may be needed to ensure the amendment does not impede or undermine the goals and progress of the Project. The seagrasses of Biscayne Bay are critical habitat of the Florida Manatee, a federally threatened species. The amendment is within the BBSEER study area, and the Project is currently in the determination of preferred alternatives phase. Attached is the October presentation on BBSEER progress, and it is notable that the C-102 Canal, which bisects the proposed development, figures prominently in the analysis and alternatives. It is noted that the proposed development will be filled to an additional 6.5-foot in elevation and is in the **Coastal High Hazard Area (CHHA)**, as reflected in the Miami-Dade CDMP Land Use Element, which may have implications to stormwater runoff and water quality entering Biscayne Bay.

Regional Water Supply

A resource of regional significance (SRPP Goal 7)

An updated Miami-Dade Water and Sewer Department **10-Year Water Supply Facilities Work Plan** is needed to ensure full compliance with all elements of the most recent Lower East Coast Water Supply Plan Update approved by the South Florida Water Management District Board.

Analysis that shows the recharge potential of land is maximized using pervious surfaces and other strategies.

Regional Transportation & Emergency Evacuation

Transportation facilities of regional significance (SRPP Goal 8)

The Florida Department of Transportation notes that no adverse impacts to the Strategic Intermodal System are created by the proposed amendment. As FDOT notes that projections for traffic were low for the development and Florida's Turnpike does not have capacity improvements plans in the area,

the County may benefit from additional transportation analysis to ensure adequate mitigation on Florida's Turnpike. The facility is a vital hurricane emergency evacuation route for South Miami-Dade and Monroe County residents.

Critical Wildlife Habitat

Resource of regional significance (SRPP Goal 14)

A survey and/or assessment of wildlife within the proposed area identifies needed mitigation. Of particular concern is the habitat of the federally endangered Everglades snail kite, and the Florida bonneted bat. It is also noted that the seagrasses of Biscayne Bay are critical habitat of the Florida Manatee, a federal threatened species, and more information is needed on the effects this amendment would have on Biscayne Bay.

Extra-jurisdictional Impacts

In addition, potential adverse extra-jurisdictional impacts to affected local communities should be considered in the context of their comprehensive plan policies as they relate to the ecosystem health of Biscayne Bay, growth management, regional transportation facilities, and emergency evacuation times. The four communities listed below have formally raised concerns regarding extra-jurisdictional impacts of the proposed amendment.

Meeting Package Attachments:

- Maps
 - Aerial Photo # 1 with UDB / UEA / Project Boundaries
 - Aerial Photo # 2
 - Areas Subject to Coastal Flooding
 - Location Map – Exhibit B
- County and Municipal Resolutions
 - Monroe County
 - City of South Miami (Resolution)
 - Village of Islamorada (Resolution)
 - Cutler Bay (Mayor's Letter)
- Agency Comments
 - Received by 7 p.m., October 22, 2021
 - South Florida Water Management District
 - Florida Department of Economic Opportunity
 - Florida Department of Transportation, District & Florida Turnpike Enterprise
 - Florida Department of Agriculture & Consumer Services
 - Pending receipt and review include:
 - Florida Department of Environmental Protection
 - Miami-Dade County
 - DERM
 - Agriculture
- Application Summary

Amendment # 2

(II) **CDMP20210008** - The proposed amendment related to a new Private Property Rights Element in the CDMP is intended to comply with House Bill 59 Section 163.3177(6)(i), Florida Statutes, effective July 1, 2021. The proposed amendment intends to meet the requirements of the Bill, including language regarding the right of a property owner to: physically possess and control his or her interests in the property, including easements, leases, or mineral rights; use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; privacy and to exclude others from the property to protect the owner's possessions and property; and dispose of his or her property through sale or gift.

Recommendations (AMENDED BY THE SFRPC BOARD 10/25/21)

Amendment # 1 - CDMP20210003 - Transmit this agenda item as comments to Miami-Dade County and the Florida Department of Economic Opportunity (DEO). Additional information is needed to assess whether this amendment adversely impacts state or regional resources or facilities. Due to the lack of sufficient time to review recently received information, the Council does not make a finding of consistency or inconsistency with the Strategic Regional Policy Plan but simply transmits the Council's and state agency comments for review and consideration. (AMENDED)

Additional Council Member comments: 1) Agriculture - Councilmembers commented on the need for the identification of strategies and opportunities to preserve farmland in the region, particularly "Farmland of unique importance", in support of SRPP Goal #12 to preserve the agriculture economy in the region. 2) Economy - Councilmembers acknowledged the importance of economic development and job creation in South Dade and the region at large.

Amendment # 2 - CDMP20210008 – Private Property Rights – This amendment does not create any adverse impact to state or regional resources of facilities.

STRATEGIC REGIONAL POLICY PLAN

Natural Resources of Regional Significance (SRPP)

Biscayne Bay

Identified as regional resource in SRPP Goal 14 and Maps

The Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project is critical to the protection of the Natural Resources of Regional Significance of **Biscayne Aquatic Preserve** and **Biscayne National Park** as identified in the Strategic Regional Policy Plan (SRPP) and the SRPP Natural Resources of Regional Significance Maps. The proposed amendment area is contained within the BBSEER study area, and thus the potential impact of this proposed amendment on this critical project should be carefully evaluated.

Attachments – SRPP NRRS Maps

The Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project seeks to restore parts of the south Florida ecosystem in freshwater wetlands of the Southern Glades and

Model Lands, the coastal wetlands and subtidal areas, including mangrove and seagrass areas, of Biscayne Bay, Biscayne National Park, Manatee Bay, Card Sound and Barnes Sound. The project area includes the C-111 South Dade Project, the C-111 Spreader Canal Western Project, the Modified Water Deliveries Project, BBCW Phase 1 Project, and the Model Lands.

Attachment – BBSEER Fact Sheet

The current drainage system within the BBSEER study area has transformed the area into a declining ecosystem driven by controlled freshwater pulses that have unnatural input locations to the Bay, and that provide water at unnatural times, in unnatural volumes, and with unnatural distributions. This system has disrupted interconnected natural processes and the existing canals impact freshwater flows to the Biscayne Bay estuary by lowering the region's water table and reducing water storage in contributing basins; decreasing groundwater inflow to Biscayne Bay; and eliminating or altering natural tributaries. BBSEER is evaluating opportunities to incorporate water storage, active and passive water management features, water quality features, and make alterations to existing canals and levees. According to the Central and Southern Florida Project Comprehensive Everglades Restoration Plan (CERP), the goal of such actions would be to:

- Improve quantity, timing, and distribution of freshwater to estuarine and nearshore subtidal areas, including mangrove and seagrass areas, of Biscayne National Park, Card Sound, and Barnes Sound to improve salinity regimes and reduce damaging pulse releases.
- Improve freshwater wetland water depth, ponding duration, and flow timing within the Model Lands, Southern Glades, and eastern panhandle of Everglades National Park to maintain and improve habitat value. y Improve ecological and hydrological connectivity between Biscayne Bay coastal wetlands, the Model Lands, and Southern Glades.
- Increase resiliency of coastal habitats in southeastern Miami-Dade County to sea level change.

The BBSEER Project is part of the Comprehensive Everglades Restoration Plan (CERP), which seeks to modify structural and operational components of the Central and Southern Florida (C&SF) Project to achieve restoration of the Everglades and the south Florida Ecosystem. The most recent BBSEER alternatives were considered as recently as October 2021 and encompass the amendment area.

Biscayne Bay, a shallow estuarine lagoon which borders the Eastern perimeter of Miami Dade County, houses 500 species of fish and other marine organisms. Biscayne National Park (BNP) is the largest marine park in the national park system and includes a large area of the south-central portion of Biscayne Bay. Biscayne Bay is not only a historical estuary, but the largest estuary in Florida and is the only large, subtropical, protected bay within the continental United States. Additionally, the longest stretch of mangrove forest remaining on Florida's eastern seaboard occurs within Biscayne Bay. Extensive areas of seagrasses in Biscayne Bay serve as an important food source and habitat for the endangered Florida manatee and as a nursery for many ecologically and commercially important estuarine and marine species, such as shrimp, crabs, lobster, and sponges. Bordering the Biscayne Bay is the Biscayne Bay Aquatic Preserve (BBAP). Established in 1974, the BBAP runs the length of Biscayne Bay itself and is approximately 64,607 submerged acres.

SRPP Goal 16 identifies South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including but not limited to, Florida Bay, Biscayne Bay, tropical hardwood

hammocks, and the coral reef tract as regional resources to be protected. Policies 16.1 and 16.2 identify water quality as a regional resource and policies 16.3 and 16.4 identify habitat quality.

Miami-Dade County Department of Environmental Resources Management (DERM) has reported that more analysis is needed regarding stormwater planning issues. Per DERM, based on currently available information, it is not feasible to adequately review and verify that the proposed system will retain complete on-site storage and will prevent the discharge of any given volume of stormwater runoff into surface water.

The project is located within the Coastal High Hazard Area (CHHA), which is an area particularly vulnerable to the effects of coastal flooding from tropical storm events and is defined by section 163.3178 (2) (h)9, Florida Statutes, as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

Attachment – MAPS -- CHHA, Miami-Dade CDMP Land Use Element

Water Supply

A regional resource identified in the SRPP Goal 7

South Florida Water Management District (SFWMD) reporting indicates that more than 3 billion gallons of water are used every day in central and southern Florida by 8.1 million residents and millions of visitors. With increasing water demands, the SFWMD has highlighted the regional concern that the region's traditional freshwater sources may not be enough to inexpensively meet all future water needs. Recharge of the aquifer is integral to the availability of freshwater and analysis should ensure that the recharge potential of land is not reduced because of the proposed amendment.

In addition, though an informal draft was disseminated in 2020, there is an overdue need to adopt an updated Miami-Dade Water and Sewer Department 10-Year Water Supply Facilities Work Plan that ensures full compliance with all elements of the most recent Lower East Coast Water Supply Plan Update approved by the South Florida Water Management District Board. The County is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast Water Supply Plan Update by the District's Governing Board.

The District's Governing Board approved the LEC Water Supply Plan Update on November 8, 2018. Therefore, the County's Work Plan was to be updated and adopted by May 2020. An adopted Work Plan for the County has not yet been received. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and reuse activities needed to meet the projected future demands.

Regional Transportation Facilities

A regional resource identified in the SRPP Goal 8

The amendment area is directly adjacent and east of the Homestead Extension of Florida's Turnpike (HEFT), which is part of Florida's Strategic Intermodal System (SIS). The SIS is Florida's high priority network of transportation facilities important to the state's economy and mobility. The Governor and Legislature established the SIS in 2003 to focus the state's limited transportation resources on the

facilities most significant for interregional, interstate, and international travel. The SIS is the state's highest priority for transportation capacity investments and a primary focus for implementing the Florida Transportation Plan (FTP), the state's long-range transportation vision and policy plan.

The Homestead Extension of Florida's Turnpike (HEFT) is the southern extension of Florida's Turnpike, a toll road maintained by Florida's Turnpike Enterprise (FTE). Spanning approximately 48 miles (77 km) along a north-south axis, it supplements the 265-mile (426 km) mainline (designated as SR 91) to form the complete 309-mile (497 km) turnpike. The extension begins at its southern terminus at U.S. Route 1 (US 1) in Florida City, and transitions into the SR 91 mainline in Miramar at its northern end. It was opened in stages between 1973 and 1974, after the mainline of the Turnpike was completed.

The Turnpike serves commuters and travelers to the Florida Keys and Everglades National Park, as well being a vital hurricane emergency evacuation route for Monroe County and Southern Miami-Dade County. The SRPP identifies the Florida Turnpike as a resource of regional significance as part of Florida Intrastate Highway System, which is now referenced as the Strategic Intermodal System.

Critical Wildlife Habitat

A regional resource identified in SRPP Goal 14

Miami-Dade County Department of Environmental Management (DERM) reports that the amendment area is located within the consultation areas for the federally endangered Everglade's snail kite and the Florida bonneted bat and provides a combination of open land and water that is similar to other sites in Miami-Dade County where foraging or roosting by the Florida bonneted bat has been documented. The subject area is also within the core foraging areas for the federally threatened wood stork. An assessment of threatened and endangered species for the subject area should be reviewed. Additionally, the area is adjacent to the Southwest Biscayne Bay Wetlands Basin and may contain wetlands which can be integral to improving water quality in the vicinity of Biscayne Bay.

Extra-Jurisdictional Impacts

In addition, potential adverse extra-jurisdictional impacts to affected local communities should be considered in the context of their comprehensive plan policies as they relate to the ecosystem health of Biscayne Bay, growth management, regional transportation facilities, and emergency evacuation times.

The following communities have raised concerns regarding extra-jurisdictional impacts of the proposed amendment.

- Monroe County
- City of South Miami (Resolution)
- Village of Islamorada (Resolution)
- Cutler Bay (Mayor's Letter)

SFRPC Strategic Regional Policy Plan (SRPP)

Goals and Policies Relevant to Resources and Facilities of Regional Significance

Potable Water, Wastewater

SRPP Goal 7

Protect, conserve, and enhance the Region's water resources.

Water Resources

SRPP Policy 7.1

Develop a more balanced, efficient, and ecologically sustainable allocation and reservation of the water resources of the Region.

SRPP Policy 7.2

Water suppliers, in coordination with the South Florida Water Management District, should address long term water supply alternatives, which include the possibility of utilizing areawide or regional water supply systems as a substitute for, or as a means of augmenting, the present non-regional systems.

SRPP Policy 7.3

Increase the use of public media for water resource related educational statements and symposia.

Improving Facilities & Water Quality

SRPP Policy 7.4

Local governments should provide centralized wastewater service in areas where existing septic tanks are an environmental or human health problem, particularly within densely populated urban services areas and sites where septic tanks and private water wells are jointly utilized.

SRPP Policy 7.5

Implement stormwater quantity and quality level of service standards consistent with those recommended by the South Florida Water Management District.

SRPP Policy 7.6

Ensure that the recharge potential of land is not reduced as a result of a proposed modification in the existing uses by incorporation of open space, pervious areas, and impervious areas in ratios which are based upon analysis of on-site recharge needs.

SRPP Policy 7.7

Require all inappropriate inputs into Natural Resources of Regional Significance to be eliminated through such means as redirection of offending outfalls, treatment improvements, or retrofitting options.

SRPP Policy 7.8

Existing stormwater outfalls that do not meet or improve upon existing water quality or quantity criteria or standards, or cause negative impacts to Natural Resources of Regional Significance, shall be modified to meet or exceed the existing water quality or quantity criteria or standard.

SRPP Policy 7.9

Restore and improve water quality throughout the system by: a. requiring stormwater treatment and management; b. protecting wetlands, native uplands, and identified aquifer recharge areas; and c. implementing best management practices, such as utilization of low phosphorus fertilizers.

SRPP Policy 7.10

Protect the habitat and water quality of the Region's Outstanding Florida Water bodies by requiring stormwater discharges to meet applicable non-degradation water quality standards

SRPP: Transportation**SRPP Goal 8**

Enhance the Region's mobility, efficiency, safety, quality of life, and economic health through improvements to road, port, and public transportation infrastructure.

SRPP Policy 8.1

Maintain the Florida Intrastate Highway System, other state roads, local roadways, and public transportation systems to preserve the Region's investment in infrastructure; support daily use and needs; enhance the Region's global competitiveness and economic health; increase safety; ensure emergency access and response; and provide for evacuation purposes.

SRPP Policy 8.2

Reduce the utilization of the Florida Interstate Highway System and other components of the regional road system for short, local trips.

SRPP: Natural Resources of Regional Significance**SRPP Goal 14: Preserve, protect, and restore Natural Resources of Regional Significance****Protection and Acquisition of Natural Resources****SRPP Policy 14.1**

Address environmental issues, including the health of our air, water, habitats, and other natural resources, that affect quality of life and sustainability of our Region.

SRPP Policy 14.2

Improve the quality and connectedness of Natural Resources of Regional Significance by eliminating inappropriate uses of land, improving land use designations, and utilizing land acquisition where necessary.

Natural Resources of Regional Significance: Development Patterns

SRPP Policy 14.4

Direct land uses that are not consistent with the protection and maintenance of natural resource values away from Natural Resources of Regional Significance, adjacent buffer areas.

Wildlife Habitat

SRPP Policy 14.7

Restore, preserve, and protect the habitats of rare and state and federally listed species. For those rare and threatened species that have been scientifically demonstrated by past or site-specific studies to be relocated successfully, without resulting in harm to the relocated or receiving populations, and where in-situ preservation is neither possible nor desirable from an ecological perspective, identify suitable receptor sites, guaranteed to be preserved and managed in perpetuity for the protection of the relocated species that will be utilized for the relocation of such rare or listed plants and animals made necessary by unavoidable project impacts. Consistent use of the site by endangered species or documented endangered species habitat on-site shall be preserved on-site.

SRPP: Marine & Coastal Resources

SRPP Goal 16

Enhance and preserve natural system values of South Florida's shorelines, estuaries, benthic communities, fisheries, and associated habitats, including, but not limited to, Florida Bay, Biscayne Bay, tropical hardwood hammocks, and the coral reef tract.

Water Quality

SRPP Policy 16.1

Restore and improve marine and estuarine water quality by: a. improving the timing and quality of freshwater inflows; b. reducing turbidity, nutrient loading, and bacterial loading from wastewater facilities, septic systems, and vessels; c. reducing the number of improperly maintained stormwater systems; and d. requiring port facilities and marinas to implement hazardous materials spill plans.

SRPP Policy 16.2

Protect the **Biscayne Bay Aquatic Preserve (BBAP)** through such measures as:

- a. discontinuing all untreated stormwater discharges to the Bay;
- b. requiring stormwater treatment systems to meet the required non-degradation water quality standards for this Class III, Outstanding Florida Water body;
- c. discouraging development that proposes to fill within the Bay or discharge contaminants to its waters; and
- d. connecting developments that are served by septic tanks within the watershed of the BBAP to central sanitary waste treatment facilities to treat pathogens and remove nutrients from the wastewater effluent.

SRPP Policy 16.3

Enhance and preserve coastal, estuarine, and marine resources, including but not limited to, tropical hardwood hammocks, mangroves, seagrass and shellfish beds and coral habitats.

SRPP Policy 16.4

Enhance and preserve commercial and sports fisheries through monitoring, research, best management practices for fish harvesting, education, and protection of nursery habitat.

SRPP: Coastal High Hazard Areas**SRPP Goal 19**

Direct future development away from areas most vulnerable to storm surges.

SRPP Policy 19.1

Local governments should reduce allowable residential development densities in the Coastal High Hazard Area to densities no greater than the current use of the property, if developed. Local governments should ensure that new development and redevelopment in the Coastal High Hazard Area complies with the National Flood Insurance Program, South Florida Building Code, and hurricane shelter policies promoted by the SRPP. Local governments should consider undeveloped land in the Coastal High Hazard Area for reservation as agriculture or as recreation and open space, whether for public or private use. All levels of government should place priority on the acquisition of this land for restoration to its natural state.

SRPP Policy 19.3

Discourage local governments from permitting the filling of land, new development, or expansion of existing development in floodways passing through the coastal ridge between the western floodplains and the storm surge areas. Local governments should consider undeveloped land in this area for reservation as agriculture, or as recreation and open space, whether for public or private use. All levels of government should place priority on the acquisition of this land for restoration to its natural state.

SRPP Policy 19.4

Limit the development of non-recreational public facilities in the storm surge areas except when necessary for the public health, safety, and welfare of existing residents.

SRPP Policy 19.5

Incorporate buffer and conservation zones into site designs for new development and redevelopment in the storm surge areas to mitigate possible damage. Consider the inevitable rise in sea level in all decisions regarding the design, location, and replacement of coastal development or redevelopment.

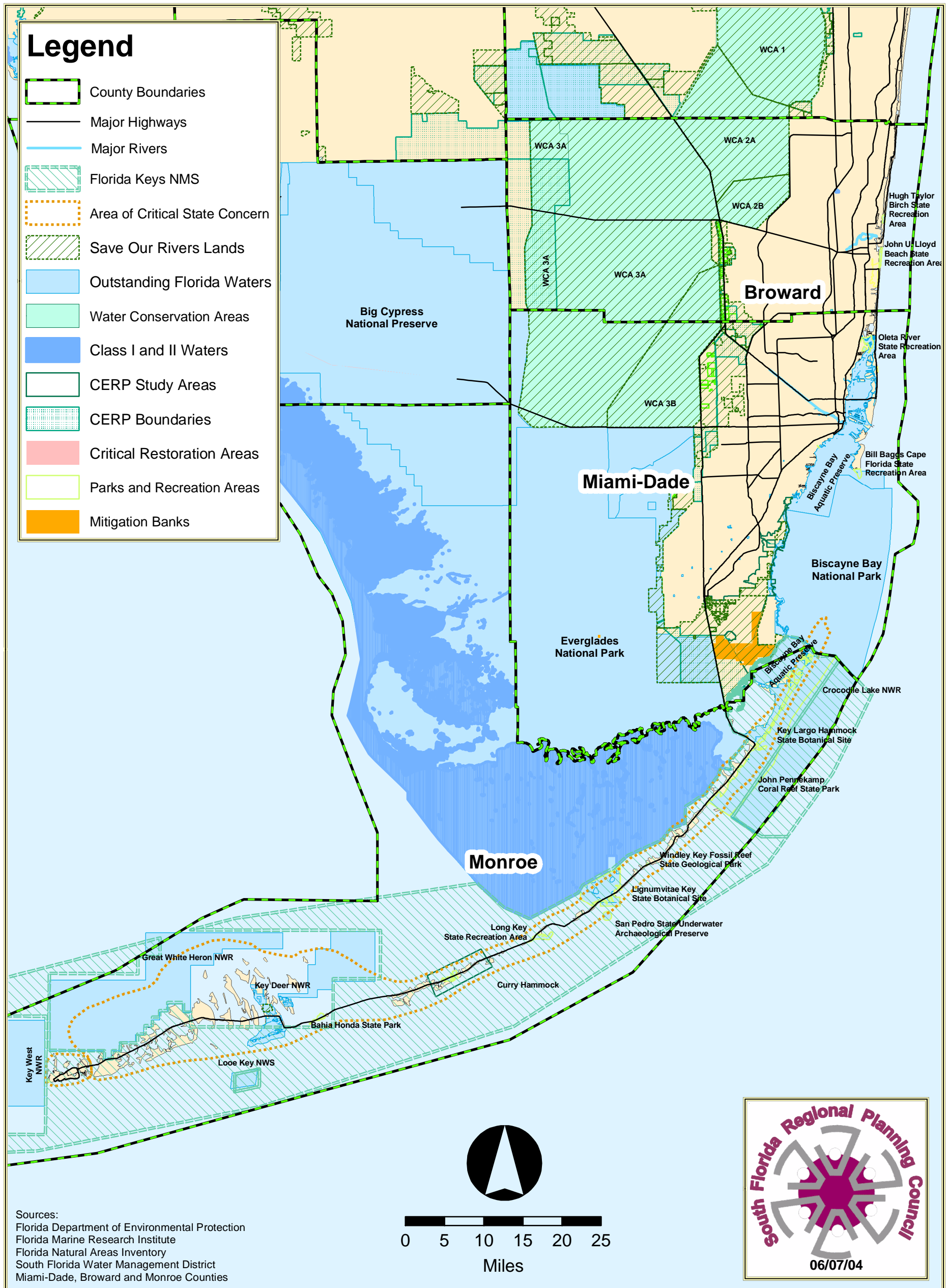
SRPP Policy 19.7

Require any development or redevelopment that occurs in a Coastal High Hazard Area to include features that mitigate hazard impacts and promote public safety and welfare.

SRPP Natural Resources of Regional Significance

South Florida Regional Planning Council

Map 1 of 2



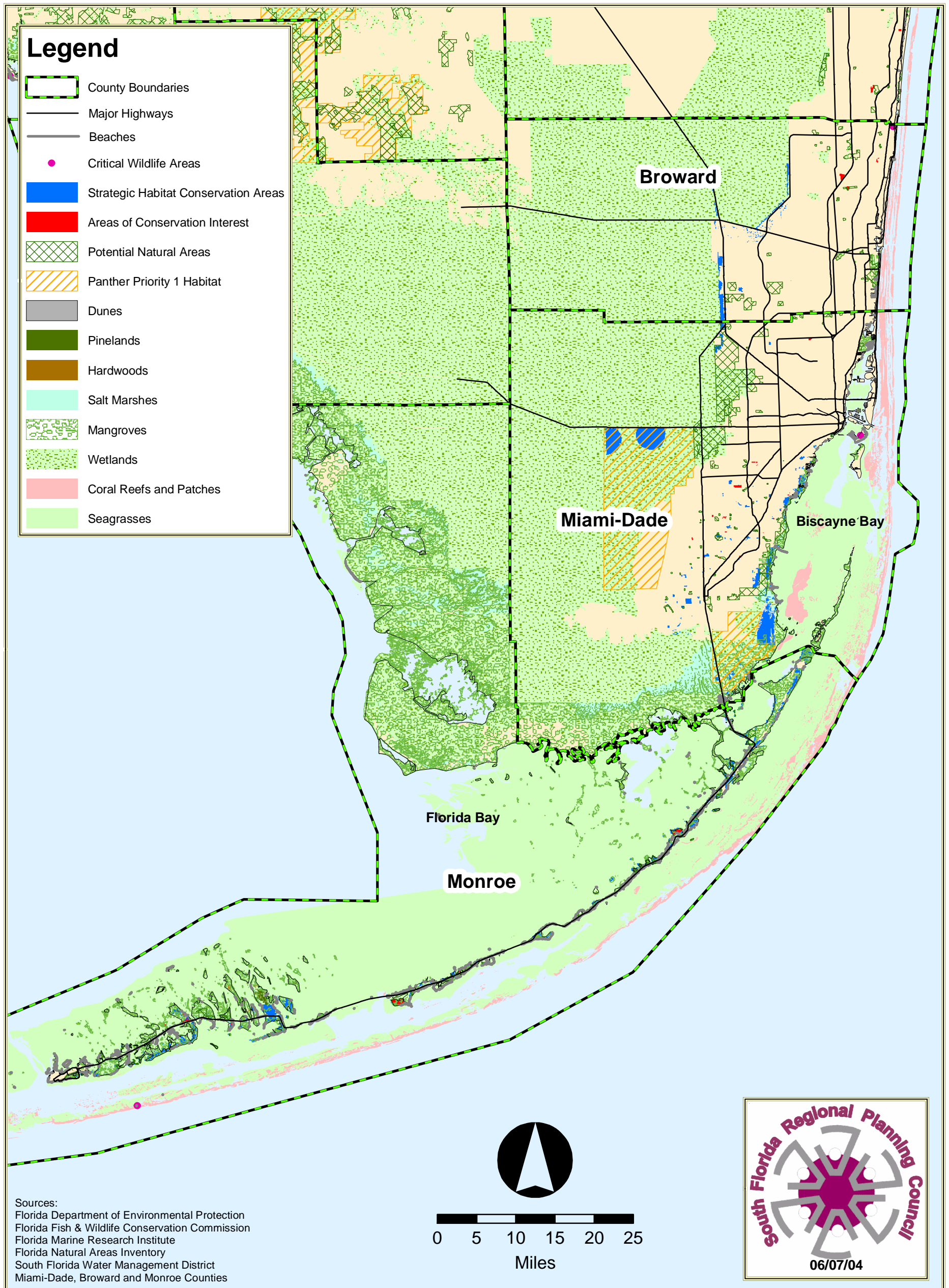
Sources:
 Florida Department of Environmental Protection
 Florida Marine Research Institute
 Florida Natural Areas Inventory
 South Florida Water Management District
 Miami-Dade, Broward and Monroe Counties

Notes:
 This map was produced for the sole purpose of depicting the generalized location of Natural Resources of Regional Significance.
 This map should be used for planning purposes only and must be used in concert with the Strategic Regional Policy Plan and associated regional policies for accurate strategic planning efforts.
 Due to scale limitations, users should refer to the SFRPC's GIS data bases which support these maps for more specific information concerning the location and extent of depicted resources.

SRPP Natural Resources of Regional Significance

South Florida Regional Planning Council

Map 2 of 2



Notes:
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 Due to scale limitations, users should refer to the SFRPC's GIS data bases which support these maps for more specific information concerning the location and extent of depicted resources.

FACTS & INFORMATION



JANUARY 2021

The Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project is part of the Comprehensive Everglades Restoration Plan (CERP). The purpose of CERP is to modify structural and operational components of the Central and Southern Florida (C&SF) Project to achieve restoration of the Everglades and the south Florida Ecosystem.

BBSEER is pursuing the second phase of the Biscayne Bay Coastal Wetlands Project (BBCW) described in the 2012 Project Implementation Project Approved Alternative O and the second phase of the C-111 Spreader Canal Western Project (C-111 SCW). BBSEER will take advantage of an increased understanding of regional water availability resulting from additional CERP projects under construction, water resource projects by other agencies, and knowledge gained on restoration requirements and ongoing monitoring.

PROJECT PURPOSE

The BBSEER project area includes the C-111 South Dade Project, the C-111 Spreader Canal Western Project, the Modified Water Deliveries Project, BBCW Phase 1 Project, and the Model Lands.

PROJECT STATUS

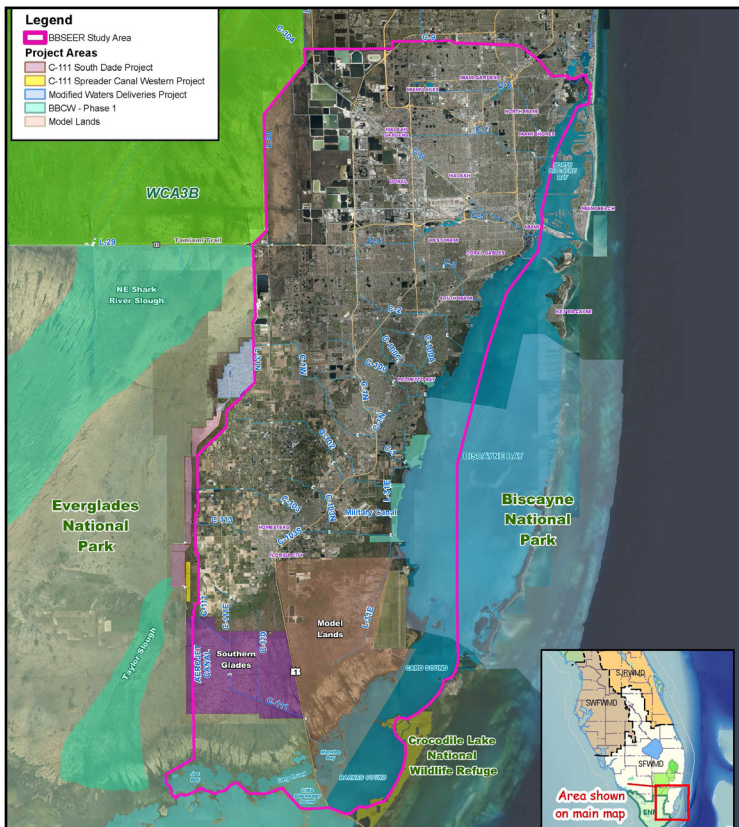
Planning efforts were initiated in September 2020 under USACE's new planning paradigm to develop a final plan, known as a Project Implementation Report and Environmental Impact Statement, for congressional authorization. The team will complete development of the initial array of alternatives in Spring 2021.

PROJECT OVERVIEW

BBSEER will evaluate opportunities to incorporate water storage, active and passive water management features, water quality features, and make alterations to existing canals and levees to:

If implemented, these actions will:

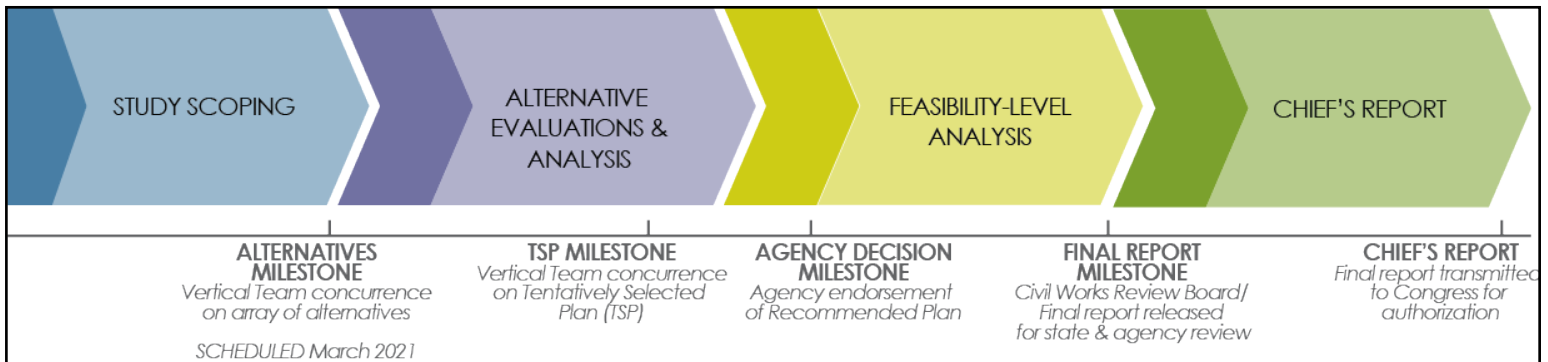
- Improve quantity, timing, and distribution of freshwater to estuarine and nearshore subtidal areas, including mangrove and seagrass areas, of Biscayne National Park, Card Sound, and Barnes Sound to improve salinity regimes and reduce damaging pulse releases.
- Improve freshwater wetland water depth, ponding duration, and flow timing within the Model Lands, Southern Glades, and eastern panhandle of Everglades National Park to maintain and improve habitat value.
- Improve ecological and hydrological connectivity between Biscayne Bay coastal wetlands, the Model Lands, and Southern Glades.
- Increase resiliency of coastal habitats in southeastern Miami-Dade County to sea level change (SLC).



These Six CERP components were identified for study as part of the BBSEER Project are the Biscayne Bay Coastal Wetlands, Biscayne Bay Coastal Canals, C-111N Canal Project, South Miami Dade County Reuse, West Miami Dade County Reuse, and North Lake Belt. These components are highly interdependent features of the recommended plan that are being formulated, optimized, and implemented in a comprehensive and integrated manner.



STUDY SCHEDULE



PROJECT DELIVERY TEAM MEETINGS

USACE and SFWMD are facilitating Project Delivery Team (PDT) meetings for the BBSEER. PDT meetings enable federal, state and local agencies and Tribal governments to provide their input into the project. Members of the public may attend PDT meetings and provide public comment at the end of the meeting.

For more information:

<https://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/>

USACE'S NEW PLANNING PARADIGM

USACE's new planning paradigm, known as SMART Planning, involves defining the appropriate levels of detail for investigations so that recommendations for authorization can be captured, succinctly documented, and completed in a timely manner. Generally, studies will adhere to the 3x3x3 rule:

- Not more than \$3 million.
- Completed in less than three years.
- Concurrent reviews/enhanced vertical team communications, involving the three levels of USACE (District, Division and Headquarters).

The revised process ensures that studies are completed in less time without jeopardizing the quality of engineering, environmental, and economic analyses.

FOR MORE INFORMATION



USACE Project Manager
904-549-3803
www.saj.usace.army.mil

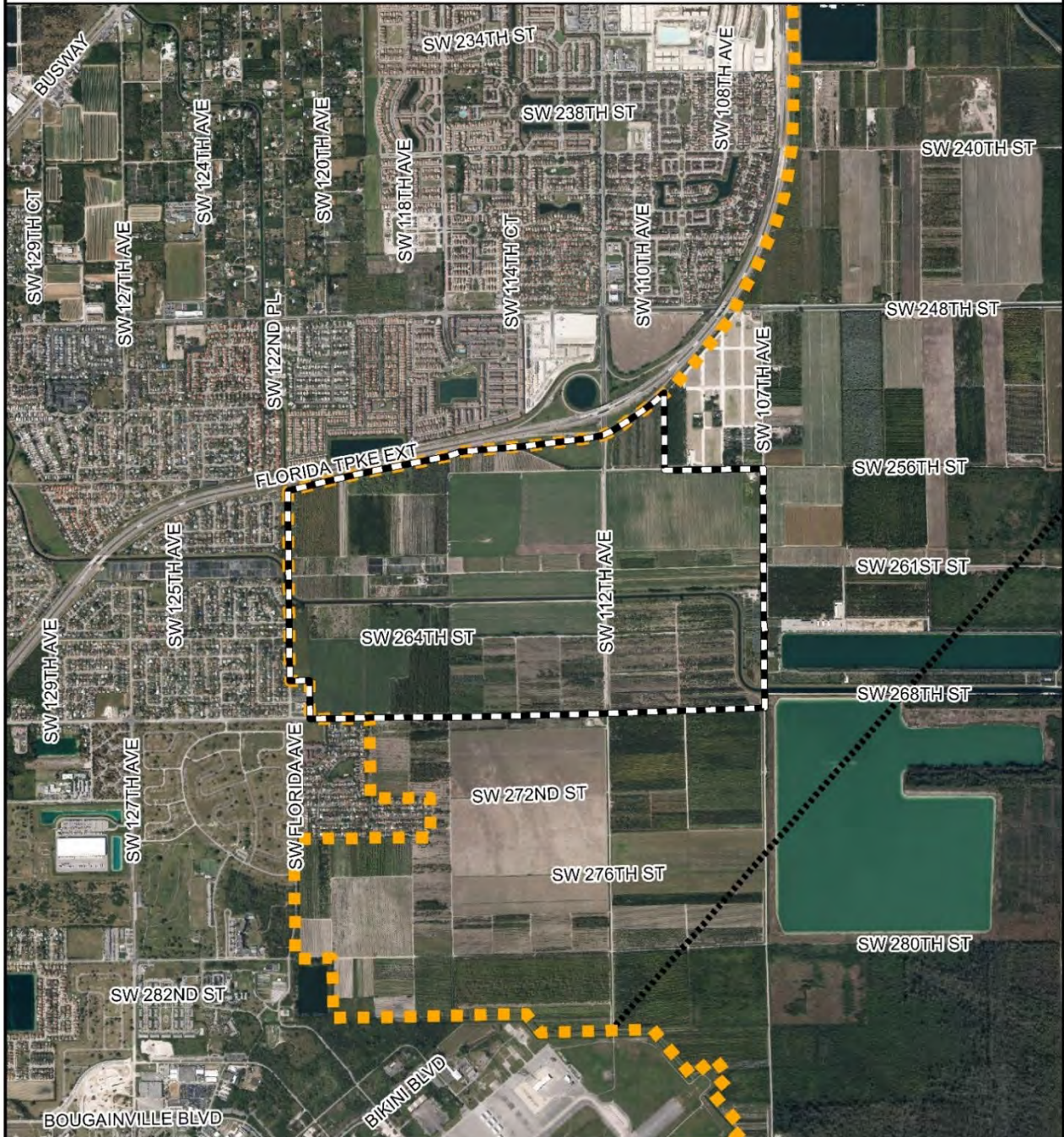


SFMWD Project Manager
561-682-6324
www.sfwmd.gov



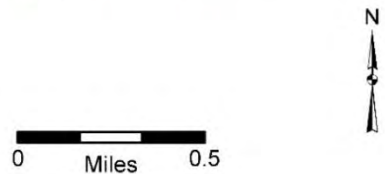
1. MAPS

**ALIGNED REAL ESTATE HOLDINGS, LLC., ET AL.
OUT-OF-CYCLE APP. NO. CDMP20210003
AERIAL PHOTO**

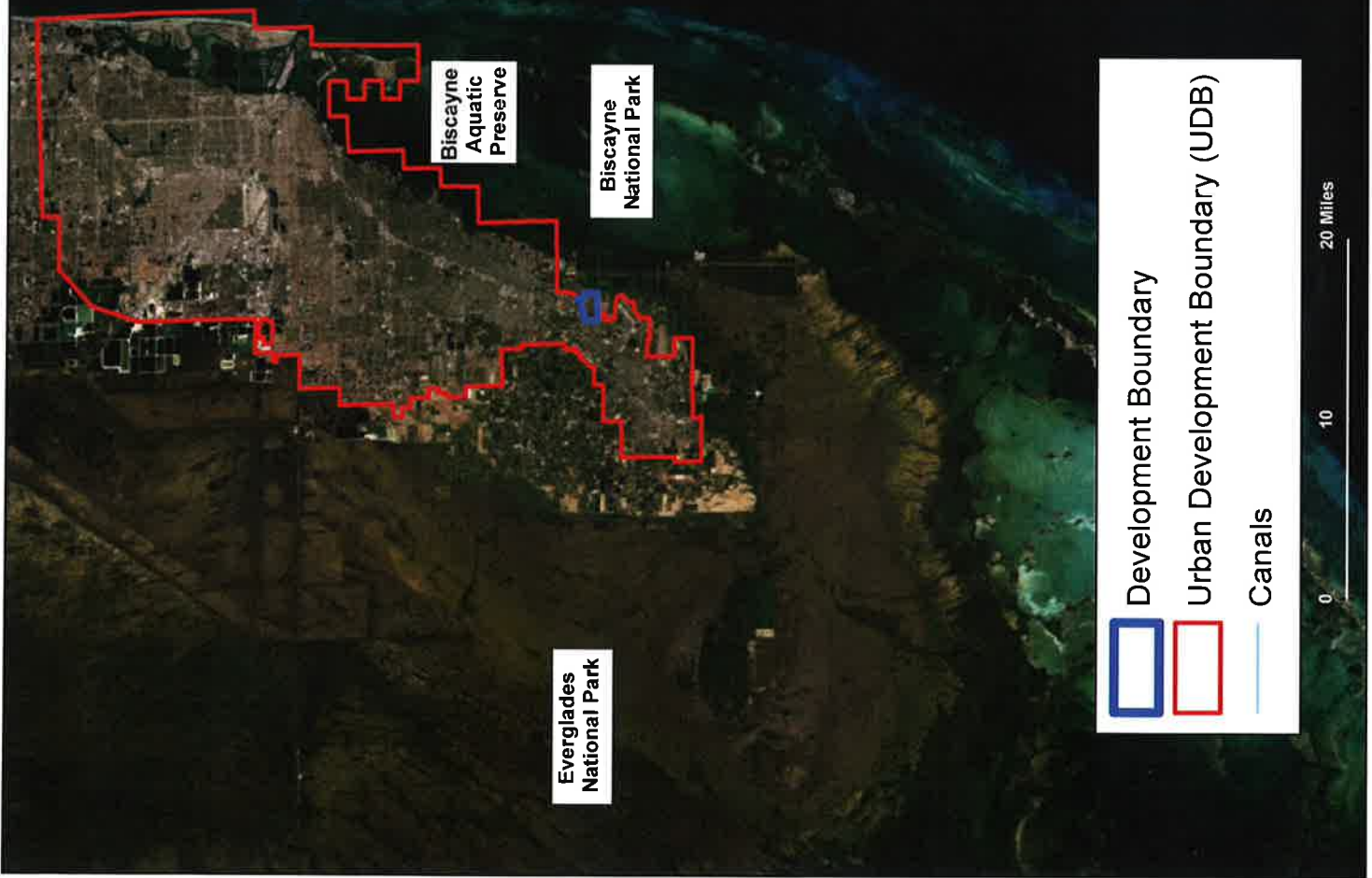
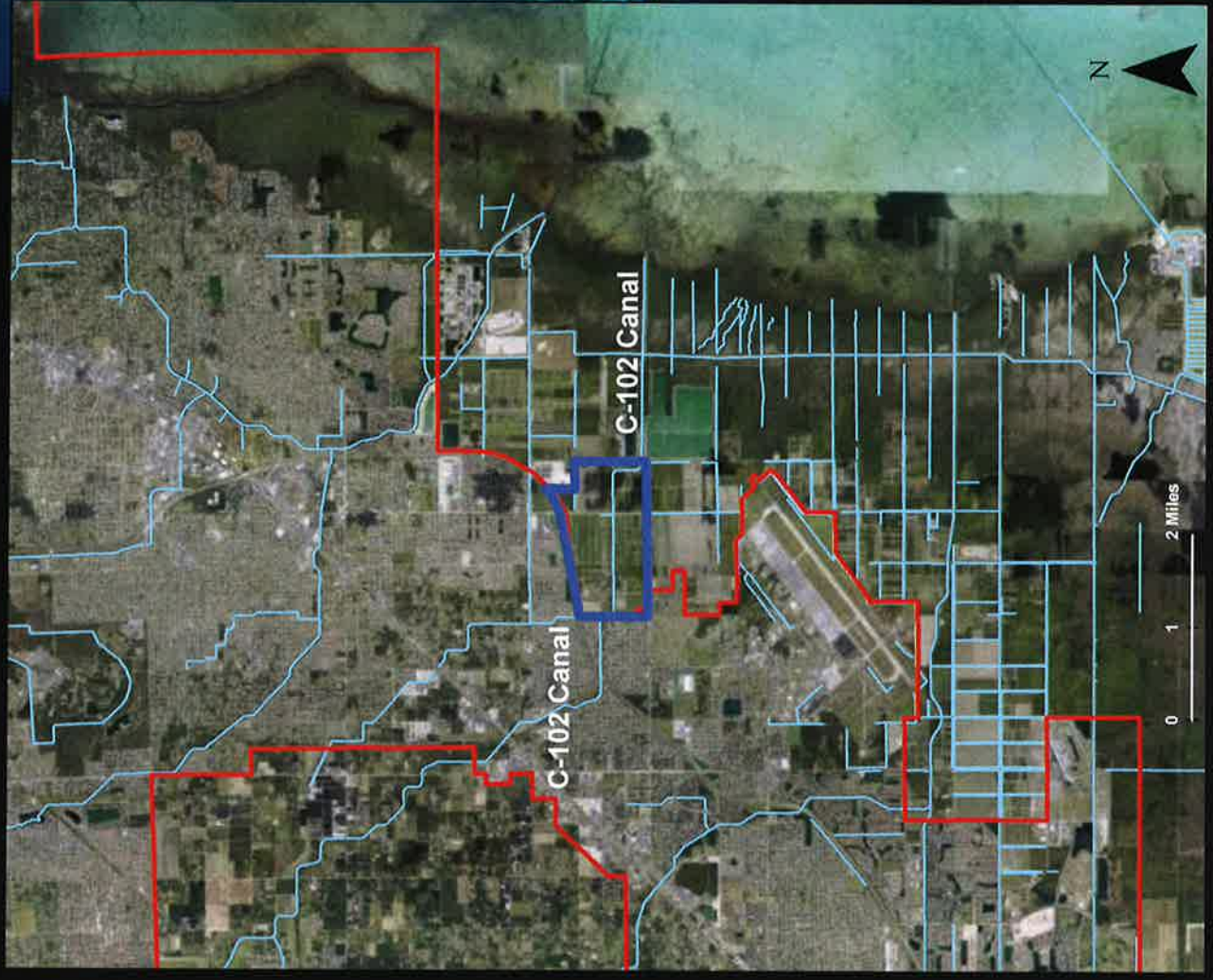


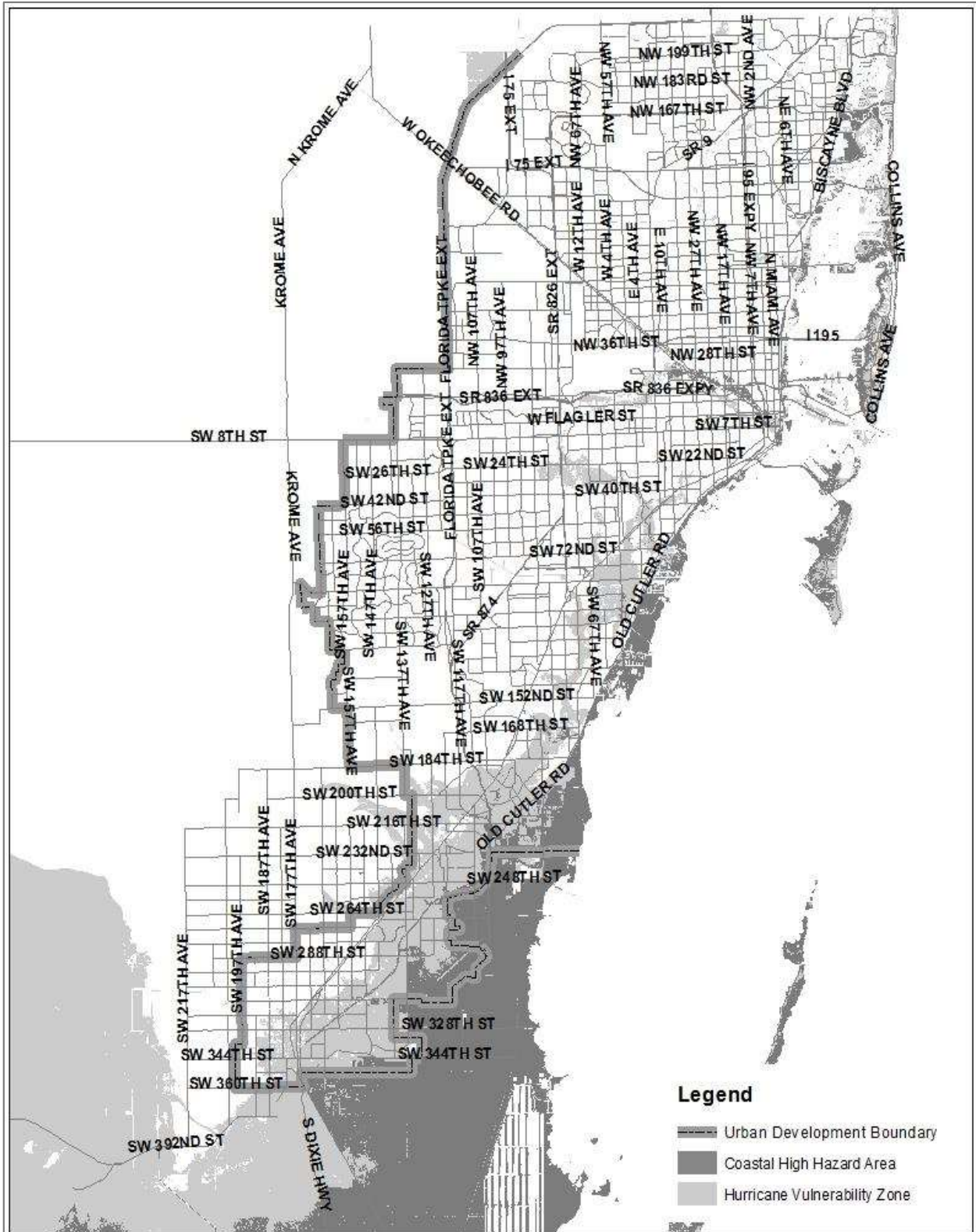
-  APPLICATION AREA
-  URBAN DEVELOPMENT BOUNDARY (UDB)
-  URBAN EXPANSION AREA (UEA)

Source: Department of Regulatory and Economic Resources
July 2021



Miami-Dade CDMP Amendment 21-02 ESR





Source: Florida Division of Emergency Management SLOSH data (2017)

Figure 13
AREAS SUBJECT TO COASTAL FLOODING

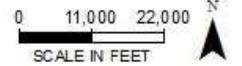


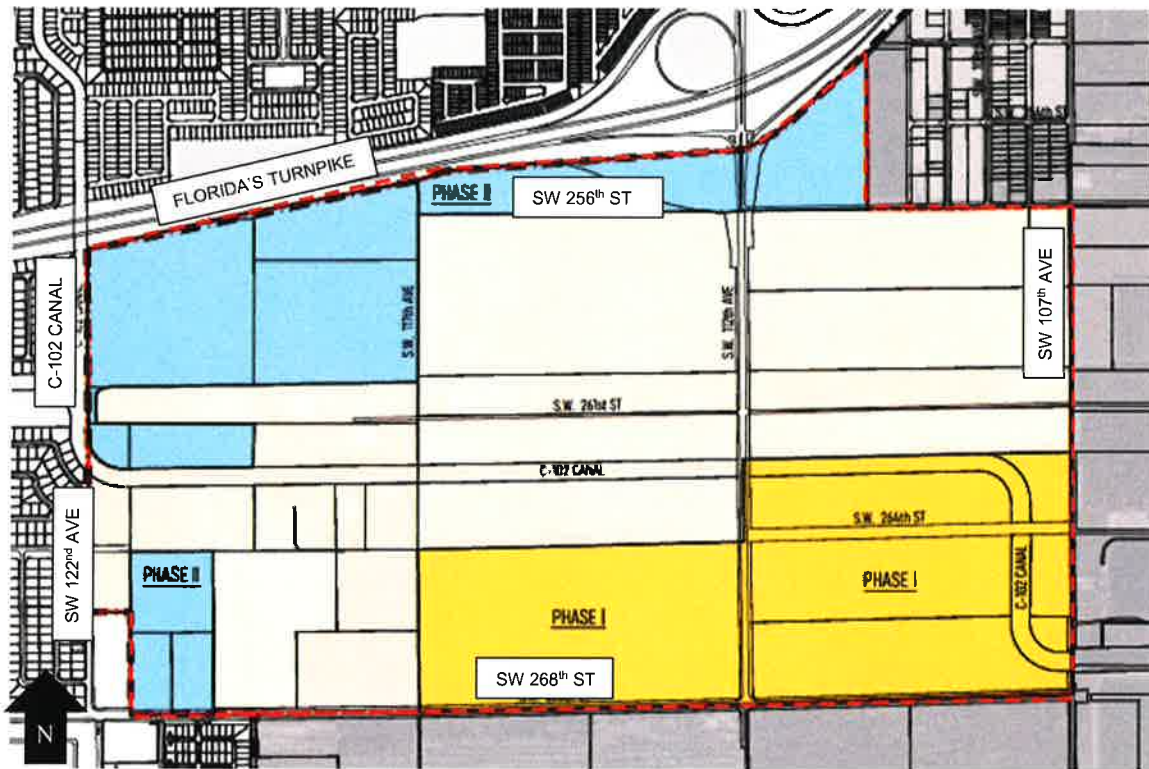
EXHIBIT B - LOCATION MAP FOR APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN FUTURE LAND USE MAP

APPLICANT / REPRESENTATIVE

Aligned Real Estate Holdings LLC / Jeffrey Bercow, Esq., Graham Penn, Esq., Emily Balter, Esq.
South Dade Industrial Partners, LLC, Bedrock South Dade 112 Avenue, LLC, Bedrock South Dade 268
Street, LLC/ Juan J. Mayol, Jr., Esq., Joseph G. Goldstein, Esq., Pedro A. Gassant, Esq.

DESCRIPTION OF SUBJECT AREA

The Application Area is approximately 793.93 gross acres (722.33 net acres) located south of the Homestead Extension of Florida Turnpike (HEFT), between SW 122 Avenue on the west and SW 107 Avenue on the east, north of SW 268 Street in Sections 25, 30, 31, Township 56, Ranges 39 and 49. The Application Area and the areas owned by the Applicant and Co-Applicant are more particularly described in Exhibit A, Legal Description, to this Application.



LEGEND		Application Area: 793.93 gross acres (722.33 net acres)
	Urban Development Boundary 2020	Acres Owned by Applicant: 0 acres owned by Applicant and Co-Applicant. 203.60 gross acres under contract to Applicant to purchase for Phase I. 165.65 gross acres under contract to Co-Applicant to purchase for Phase II. 424.68 gross acres not under contract by Applicant or Co-Applicant.
	Application Area	
	Urban Expansion Area (UEA)	
	PHASE I	
	PHASE II	

2. County and Municipal Resolutions



**MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 406-2021**

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS URGING THE MIAMI-DADE BOARD OF COUNTY COMMISSION AND FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY TO DENY THE PROPOSED DEVELOPMENT MASTER PLAN (CDMP) AMENDMENT APPLICATION CDMP20210003, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Southern Florida is home to the Everglades National Park, the Biscayne National Park and the Florida Keys National Marine Sanctuary, each a national and statewide environmental treasure with uniquely important and diverse natural resources; and

WHEREAS, these unique resources contribute to an unparalleled ecosystem that is critical to South Florida's regional environment and regional economy; and

WHEREAS, the Federal and state governments have authorized and appropriated significant public investment in the restoration and preservation of the Everglades and South Florida ecosystem; and

WHEREAS, Monroe County (the Florida Keys) shares in the stewardship responsibilities of this unique ecosystem; and

WHEREAS, Monroe County continues to invest in and to work in partnership with state and federal agencies to protect its existing public and private investments from sea level rise and to restore and protect the health and economic value of its marine environment; and

WHEREAS, the environment, economy, public safety, and community character of the Florida Keys can be substantially affected by land use decisions in southern Miami-Dade County; and

WHEREAS, the proposed expansion of the Urban Development Boundary in South Miami-Dade in Miami-Dade County's Comprehensive Development Master Plan (CDMP) Amendment Application CDMP20210003, and its accompanying 800-acre industrial project is a significant land use decision with potentially detrimental regional environmental, economic, and public safety impacts, including impacts for the Florida Keys; and

WHEREAS, it is yet unclear as to the environmental impacts of this land use decision, Monroe County is concerned that the proposed expansion of the Urban Development Boundary could negatively impact the sensitive Everglades National Park, Biscayne National Park, and Florida Keys National Marine Sanctuary; and

WHEREAS, the continued environmental and economic viability of Florida Keys depends on the preservation of those environmental resources and on the continued protection of the quality, tranquility and peace of our surrounding waters and airspace over those waters; and

WHEREAS, the proposed amendment within the Urban Development Boundary in South Miami-Dade may allow for future large-scale urban growth outside the current UDB, irrevocably altering future urban development, particularly for the adjacent Homestead Air Reserve Base; and

WHEREAS, the Homestead Air Reserve Base and its neighboring territory is subject the same threats and potential evacuation orders as the Florida Keys; and

WHEREAS, the proposed expansion will add traffic congestion and could adversely impact the Florida Turnpike (a Strategic Intermodal System facility), other local roads, including reducing the operation of the transportation corridor and hurricane evacuation; and

WHEREAS, due to these concerns Monroe County appreciates the opportunity to review the proposed comprehensive plan amendments and continues to encourage intergovernmental coordination and collaboration between the adjacent counties; and

WHEREAS, Monroe County encourages Miami-Dade County to continue to review and regulate land use in a manner that provides for adequate public infrastructure, does not result in a reduction of the level-of-service requirements, protects key assets, and maximizes safety, economic benefit, environmental compatibility within the County and with the adjacent and regional local governments, State, and federal governments; and

WHEREAS, Monroe County continues to support coordination mechanisms to ensure that full consideration is given to the impacts of development allowed by the adjacent municipalities, adjacent counties of Miami-Dade, the region, the State and the federal governments, as well as the potential impacts of development allowed by Monroe County on those entities; and

WHEREAS, Miami-Dade County staff noted major inconsistencies between this proposed project and have recommended that the County deny the CDMP Amendment application and Monroe County urges the Miami-Dade Board of County Commissioners to consider and uphold the determination of its planning staff;

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. The Monroe County Board of County Commissioners expresses strong concerns about the impacts of development and expansion of the Urban Development Boundary in Miami-Dade County on the Florida Keys and urges the Miami-Dade Board of County Commissioners and the State of Florida to deny the proposed Development Master Plan (CDMP) Amendment Application CDMP20210003; and

Section 2. The Clerk is hereby authorized and directed to transmit certified copies of the Resolution to the Mayor and Commissioners of the Miami-Dade Board of County Commissioners and to Florida Department of Economic Opportunity Secretary Dane Eagle.

Section 3. This resolution shall become effective upon adoption.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 20th day of October, 2021.

Mayor Michelle Coldiron	<u>Yes</u>
Mayor Pro Tem David Rice	<u>Yes</u>
Commissioner Craig Cates	<u>Yes</u>
Commissioner Holly Merrill Raschein	<u>Yes</u>
Commissioner Eddie Martinez	<u>Yes</u>

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY 

Mayor Michelle Coldiron



(SEAL)
ATTEST: KEVIN MADOK, CLERK



AS DEPUTY CLERK

Approved for form and legal sufficiency by
Robert B. Shillinger, Monroe County Attorney

**Robert B.
Shillinger**

Digitally signed by Robert B. Shillinger
DN: cn=Robert B. Shillinger, o=Monroe
County BOCC, ou=Monroe County
Attorney, email=shillinger-
bob@monroecounty-fl.gov, c=US
Date: 2021.10.21 15:54:06 -04'00'

CLERK CIR. CT.
MONROE COUNTY, FL
2021 OCT 20 AM 11:59
FILED IN RECORDS

EXHIBIT

RESOLUTION NO. _____

A Resolution of the Mayor and City Commission of the City of South Miami, Florida, urging the Miami-Dade County Board of County Commissioners to uphold the recommendations of County staff and deny and not transmit CDMP amendment application CDMP20210003.

WHEREAS, the individual municipalities within Miami-Dade County and their residents are affected in every way by decisions made at the county level; and

WHEREAS, county-level land use decisions in particular affects quality-of-life in municipalities in our resilience, the nature of our shared metropolitan landscape, and the allocation of limited infrastructure resources; and

WHEREAS, urban sprawl has major negative impacts on residents, the environment, and the urban landscape; and

WHEREAS, the approval of new sprawl development on the urban periphery requires the County government to dedicate tax revenue from existing communities to fund the new infrastructure to meet minimum level of service capacity for these new developments, thus redirecting critical county resources away from already developed areas and communities that are in need of those resources; and

WHEREAS, Miami-Dade County’s municipalities have an urgent need for additional resources to address existing transit, water management, and other vital infrastructure; and

WHEREAS, Miami-Dade County’s municipalities benefit from the existence of our strong local agricultural economy which provides fresh food and jobs, promotes sustainable consumption, and improves quality of life for all residents; and

WHEREAS, Miami-Dade County possesses a unique topography characterized by an elevated central ridge, surrounded on the east and west by low-lying and flood prone open space; and

WHEREAS, Miami-Dade County’s unique topographical landscape magnifies the risks and impacts of unconstrained urban sprawl development; and

WHEREAS in recognition of the environmental and economic harm caused by suburban sprawl, and the County’s distinctive topographical landscape, Miami-Dade County established an Urban Development Boundary in 1983 beyond which dense urban development is not permitted; and

WHEREAS, the Miami-Dade County Commission is currently considering an application to its Comprehensive Development Master Plan (CDMP) which would expand the Miami-Dade County Urban Development Boundary (UDB) to include 793-acres of farmland adjacent to the Homestead Air Reserve Base, and redesignate this parcel from agriculture to ‘special district’ on the Future Land Use Map; and

49 **WHEREAS**, the application would also amend the Comprehensive Development
50 Master Plan, to exempt non-residential development from existing CDMP elements that
51 discourage development in coastal areas at risk of storm flooding and sea level rise; and
52

53 **WHEREAS**, Miami-Dade County’s recent Urban Expansion Area report identifies
54 sufficient industrially zoned land within the UDB to accommodate new development
55 through 2040 and beyond; and
56

57 **WHEREAS**, Miami-Dade County staff noted major inconsistencies between this
58 proposed project and the County’s goals and the requirements outlined in the CDMP, and
59 have recommended that the County “Deny and Do Not Transmit” the application to the
60 state; and
61

62 **WHEREAS**, the application (1) is inconsistent with elements of the CDMP that
63 require concurrency and consistency in the level of service for new developments, and (2)
64 would require major new infrastructure investments by Miami-Dade County, thus diverting
65 already-insufficient County infrastructure funding from existing municipalities; and
66

67 **WHEREAS**, the application does not meet the criteria in Ch. 163 F.S. regarding
68 urban sprawl and would undermine infill development and efforts to improve transportation
69 services within the urban core; and
70

71 **WHEREAS**, the application would take over 750 acres designated as “farmland of
72 Unique importance” out of production, could increase flooding on surrounding parcels, and
73 is inconsistent with elements of the CDMP regarding preservation and protection of
74 agriculture and agricultural lands; and
75

76 **WHEREAS**, the application area is located squarely within the Coastal High
77 Hazard Area, would divert disaster resilience and flood protection resources away from
78 existing developments, and would result in the paving-over of low-lying open space
79 necessary for flood-resilience; and
80

81 **WHEREAS**, the County could more effectively support the interests of its
82 municipalities by facilitating the redevelopment of existing industrially zoned parcels
83 within the UDB.
84

85 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY**
86 **COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA:**
87

88 **Section 1.** The foregoing recitals are hereby ratified and incorporated by reference
89 as if fully set forth herein and as the legislative intent of this Resolution.
90

91 **Section 2.** The Mayor and City Commission urges the Miami-Dade County
92 Board of County Commissioners to uphold the recommendations of County staff and
93 deny and not transmit CDMP amendment application CDMP20210003 to the state.
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Section 3. The City Clerk is directed to send copies of this Resolution to each member of the Miami-Dade Board of County Commissioners and to the Mayor of Miami-Dade County as well as to the Miami-Dade County League of Cities.

Section 4. Corrections. Conforming language or technical scrivener-type corrections may be made by the City Attorney for any conforming amendments to be incorporated into the final Resolution for signature.

Section 5. Severability. If any section, clause, sentence, or phrase of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, this holding will not affect the validity of the remaining portions of this Resolution.

Section 6. Effective Date. This Resolution is effective upon enactment.

PASSED AND ADOPTED this ____ day of _____, 2021.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY, AND
EXECUTION THEREOF

COMMISSION VOTE:
Mayor Philips:
Commissioner Harris:
Commissioner Liebman:
Commissioner Gil:
Commissioner Corey:

CITY ATTORNEY

RESOLUTION NO. 21-10-105

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, URGING THE BOARD OF COMMISSIONERS OF MIAMI-DADE COUNTY FLORIDA TO PROTECT REGIONAL ENVIRONMENTAL, ECONOMIC, AND WATER RESOURCES AND UPHOLD RECOMMENDATIONS OF PLANNING STAFF TO DENY CDMP AMENDMENT APPLICATION CDMP20210003; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Islamorada, Village of Islands (the "Village"), and Monroe County are part of the vast Everglades ecosystem that covers much of South Florida, and Monroe County's coastline encompasses Everglades National Park, Florida Bay, and the Florida Keys National Marine Sanctuary (FKNMS); and

WHEREAS, the waters of the Florida Keys are dependent on the health of the Everglades ecosystem as the primary source of fresh water and foundation for the nearshore estuarine environment, and Florida Bay provides a unique and critical habitat for numerous plant and animal species, including over a dozen federally protected, endangered, and threatened species and species of special concern as designated by the state such as the bottlenose dolphin, Florida manatee, smalltooth sawfish, green sea turtle, hawksbill turtle, American crocodile, roseate spoonbills, egrets, and pelicans; and

WHEREAS, chronic lack of freshwater flow that has resulted from decades of over-development, coupled with increasingly high temperatures and salinity in Florida Bay, has contributed to mass seagrass die-offs, algal blooms, sponge die-offs, and degraded fishery species habitat in Florida Bay and FKNMS; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the "Village Council") has

been outspoken in its support for advancing the Comprehensive Everglades Restoration Plan (CERP) with the goal of restoring the flow of clean, fresh water from Lake Okeechobee to Everglades National Park and the waters of Florida Bay; and

WHEREAS, the U.S. Army Corps of Engineers and South Florida Water Management District are the federal and local sponsors, respectively, for the implementation of CERP and are actively advancing planning of the Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER) Project, an integral component of CERP with the goal of restoring freshwater flow to Biscayne Bay, Florida Bay, Card Sound, Barnes Sound, and Manatee Bay; and

WHEREAS, the water supply for over 74,000 residents of Monroe County is also directly impacted by the health of wellfields in Miami-Dade County, and associated land and water quality impacts around these wellfields; and

WHEREAS, the density and development of Miami-Dade County has direct impacts on critically important hurricane evacuation routes designated for Monroe County residents; and

WHEREAS, the Miami-Dade County Commission is currently considering an amendment application to its Comprehensive Development Master Plan (CDMP) which would expand the Miami-Dade County Urban Development Boundary (UDB) to include 793-acres of farmland adjacent to the Homestead Air Reserve Base, and redesignate this parcel from agriculture to 'special district' on the Future Land Use Map; and

WHEREAS, the parcel under consideration is in direct proximity to wellfields that are critical for the protection of Monroe County's water supply and is also within the project scope of BBSEER which is currently under evaluation by the U.S. Army Corps of Engineers and South Florida Water Management District for consideration of project features that will deliver more freshwater to

Florida Bay and Biscayne Bay, and

WHEREAS, Miami-Dade County staff noted major inconsistencies between this proposed project, the County's goals, and the requirements outlined in the CDMP, and have recommended that the County deny the application, noting several detrimental environmental and resource impacts including to downstream water resources; and

WHEREAS, development of this area could foreclose future opportunities for wetland rehydration or ecosystem restoration projects under BBSEER, reducing project viability and impeding water flow south into Everglades National Park, Florida Bay, and FKNMS, all of which are critical resources for the Village of Islamorada and Monroe County; and

WHEREAS, the Village Council finds that denial of CDMP Amendment Application CDMP20210003 is in the best interest of the Village and its residents

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Urging Denial of CDMP Amendment Application CDMP20210003.**
The Village Council urges the Board of Commissioners of Miami-Dade County to uphold the determination of its planning staff to deny application CDMP20210003 based on anticipated detrimental impacts to regional environmental and economic resources, water supply, and interference with CERP implementation. Furthermore, the Village Council of Islamorada urges the state and federal agencies reviewing the current transmittal of application CDMP20210003 to exercise their authority to deny this incompatible and detrimental proposal.

Section 3. Transmittal. It is hereby requested that the Village Clerk transmit a copy of this Resolution to the Board of Commissioners of Miami-Dade County and to the state and federal agencies reviewing the current transmittal of application CDMP20210003.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

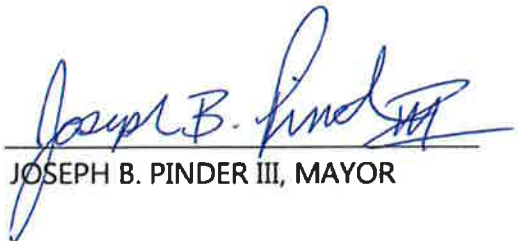
Motion to adopt by Councilman Mark Gregg, seconded by Vice Mayor Pete Bacheler.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Pete Bacheler	YES
Councilman Mark Gregg	YES
Councilman Henry Rosenthal	YES
Councilman David Webb	YES

PASSED AND ADOPTED THIS 14th DAY OF OCTOBER, 2021.


JOSEPH B. PINDER III, MAYOR

ATTEST:


KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:


ROGET V. BRYAN, VILLAGE ATTORNEY



OFFICE OF THE MAYOR

Tim Meerbott
Mayor

September 8, 2021

Chairman Jose "Pepe" Diaz
Board of County Commissioners
Miami-Dade County
111 NW 1st Street, Suite 220
Miami, FL 33128

**RE: Comprehensive Development Master Plan Amendment CDMP20210003 – South Dade
Logistics and Technology District**

Dear Chairman Diaz,

I apologize for my late correspondence regarding the upcoming Comprehensive Development Master Plan Amendment (CDMP2021003) which is scheduled to be heard during tomorrow's Special Meeting of the Board of County Commissioners. Due to a last-minute schedule change, I will not be able to attend the BCC meeting, yet wanted to express my concerns.

As Mayor of the Town of Cutler Bay I strongly urge the Board of County Commissioners to deny the request to expand the Urban Development Boundary, which is located just south of the Town's corporate limits. In advance of the Hearing, I submit the following comments that will represent my objections to the proposed CDMP Amendment, which do not reflect the full Town Council's opinion.

I am concerned about the proposed application as the project could impact proposed restoration plans in the area. The health of Biscayne Bay and its recovery is a high priority for the Town. I also see the value in responsible and sustainable land and water management and am concerned the project may cause impacts to the surrounding area's ability to manage heavy rain events, king tides, storm surge and sea-level rise impacts.

In addition to the environmental concerns, the Town is also working diligently with both the Beacon Council and the South Dade Economic Development Council to attract new commerce which will create jobs for our residents and the south Miami-Dade community.

It is my opinion that the expansion of the Urban Development Boundary, which is before you, will have a negative impact on the Town's efforts to attract new commerce.

For the reasons stated above, I ask that you support the recommendations of the Department of Regulatory and Economic Resources' Planning Staff and deny this application.

Should you have any questions or concerns, feel free to contact me at (305) 234-4262 or tmeerbott@cutlerbay-fl.gov.

Sincerely,

Tim Meerbott
Mayor



3. AGENCY COMMENTS



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 22, 2021

Ms. Lourdes M. Gomez, AICP, Director
Miami-Dade County Department of Regulatory
and Economic Resources
111 NW 1st Street, 11th Floor
Miami, Florida 33128-1902

**Subject: Miami-Dade County, DEO #21-2ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Ms. Gomez:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by Miami-Dade County (County). The amendment package includes two separate amendments to the County's Comprehensive Development Master Plan (CDMP): Application No. CDMP20210003 (South Dade Logistics & Technology District) and Application No. CDMP20210008 (Personal Property Rights Element). No comments are being raised on the Personal Property Rights Element.

Proposed CDMP Application No. CDMP20210003 would amend the Land Use Map and modify the text of the CDMP to expand the 2030 Urban Development Boundary. The plan amendment would allow for development of a Special District land use category, the South Dade Logistics & Technology District, which is intended to be an employment center. The proposed expansion of the Urban Development Boundary would allow for industrial and commercial development in a currently agricultural area. The District based its review on the documents the County submitted in the amendment package.

The amendment area is located in the southeastern area of the County, immediately south of the Homestead Extension of the Florida Turnpike (HEFT), between SW 107 Avenue and SW 122 Avenue, and north of SW 268 Street (Moody Drive), and approximately 2 miles west of the Biscayne National Park. The District's C-102 Canal runs east-west through the central area of the site.

The District recognizes that this proposed CDMP amendment is occurring during the conceptual phase of the future development project. The District's interest is ensuring that any future development does not interfere with Comprehensive Everglades Restoration Plan (CERP) efforts, or cause impacts to wetlands and other surface waters, regional water supplies, and flood protection and floodplain management. This submittal is lacking much of the data and analysis needed to conduct an appropriate level evaluation at this time. Any future review by the District would require additional information such as the effects on the following areas of concern:

- Wetlands and Other Surface Waters
- Flood Protection and Floodplain Management
- Regional Water Supply
- Coordination with the District
- Compatibility with potential CERP projects and other Biscayne Bay restoration activities

Ms. Lourdes M. Gomez, AICP, Director
October 22, 2021
Page 2

Please find detailed comments and recommendations in the attached document, *Comments and Recommendations for Miami-Dade County, DEO #21-2ESR*.

District staff is available to meet with County staff by teleconference or in person to go over the attached comments and to discuss possible solutions and options to resolve the comments. If you have any questions, need additional information, or would like to arrange a meeting, please contact Terry Manning at (561) 682-6779 or tmanning@sfwmd.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lawrence Glenn", with a stylized flourish at the end.

Lawrence Glenn, Director
Water Resources Division

Attachment: Comments and Recommendations for Miami-Dade County, DEO #21-2ESR

c: Jerry Bell, Miami-Dade County
Ray Eubanks, DEO
Kelley Corvin, DEO
Isabel Cosio Carballo, SFRPC
Kathy Lerch, SFRPC

Attachment
Comments and Recommendations for Miami-Dade County, DEO #21-2ESR

Data and analysis needed to support future development review

- Sufficient data and analysis to determine the final development plan's potential impacts to natural resources, supporting infrastructure needs and resources, potential impacts to restoration projects, and permits that may be required will be necessary. Coordination with District staff is encouraged and to address the issues raised below. The District cannot make final recommendations until the County revises this plan amendment to address the issues herein:
 - Provides relevant environmental information and studies, as detailed below.
 - Describes supporting infrastructure needs and resources.
 - Revises the remainder of the plan amendment package, as applicable, to reflect all completed studies.

Wetlands and Other Surface Waters

- The proposed amendment does not address the location of and the potential impacts to wetlands or demonstrate how impacts to wetlands on the site will be avoided and/or mitigated. Environmental Resource Permit applications will be required to address stormwater management and wetland issues associated with each proposed project within the expansion area, in accordance with Chapter 62-330, Florida Administrative Code (F.A.C). Some of the areas located within the proposed expansion area may contain state jurisdictional wetland areas; therefore, site inspections with District staff will be required for proposed projects for the identification or conclusions regarding the absence or presence of wetlands. Any environmental considerations, including elimination or reduction of wetland impacts and mitigation requirements will need to be addressed as part of the ERP applications, in accordance with Rule 62-330.060(2), F.A.C. and Section 10.0 of the District's Environmental Resource Permit Applicant's Handbook Volume I.

The amendment should be revised to include the location of all wetlands on the site and identify potential impacts to wetlands or demonstrate how impacts to wetlands on the site will be avoided and/or mitigated, and coordinate with District staff on needed ERP applications. Pre-application meetings with District Regulatory staff are strongly encouraged to identify issues early in the process.

Storm Water Management

- The proposed development will be downstream (east) of existing developed areas. The land elevation is proposed to be raised significantly (5-12 feet) above the existing elevation. It is possible that drainage from the expanded Urban Development Boundary (UDB) area may cause water levels in the C-102 Canal to increase and thereby negatively impact drainage for areas further to the west. An analysis of storm water management needs and flooding issues have not been included. Describe how potential negative impacts will be addressed and include that a District Stormwater Management Permit will be required. The amendment should be revised to include the following:
 - An analysis of storm water management needs, including a description of existing site conditions and drainage representations. These should be vetted/verified by site visits, and a demonstration that there will be no adverse offsite impacts and how the integrity of the regional canal systems will be maintained; and an identification of the appropriate stormwater management infrastructure needed for the proposed land uses.
 - A demonstration that the development proposal minimizes and mitigates negative impacts on existing flood control facilities and that the current flood control facilities do in fact

have the capacity to handle runoff from the proposed project area while not impacting existing flood control level of service for drainage areas to the west, in the existing drainage Basin.

- In light of flooding risks due to sea level rise, the analysis could benefit by evaluating any potential rise and need for pumps to maintain level of service requirements in C-102 Canal water levels, to which the proposed project area will likely discharge, upstream of S21A structure. Increased canal water levels could further amplify possible risks to existing developed areas.
- An evaluation to impacts to upstream flood control level of service and the need for investment in public infrastructure for construction, operation and maintenance to at least continue to provide the existing level of service and, preferably to include sea level rise. Potential infrastructure needs would be retention/detention, drainage wells and other stormwater / water quality features.
- Acknowledgement that a Stormwater Management Permit will be required from the District. Pre-application meetings with District staff are strongly encouraged to identify issues early in the process.

C-102 Canal and Canal Right-of-Way

- The proposed amendment indicates that there are possible impacts to the District's C-102 Canal. The proposed amendment should be revised to include an analysis of potential impacts to the Canal, including a demonstration that there will be no adverse impacts and how the integrity of the regional canal system will be maintained.
- The proposed amendment suggests that the developers of the amendment area are considering construction of a path within the right of way for recreational uses, including a bicycle and pedestrian pathway. The potential recreational facilities would allow access at either end of property for residents of neighboring areas to have access to the facilities. A District Right of Way permit from the District would be required. Such activities may only be submitted by a governmental entity or a property owners association, not a private property owner or development entity. Pre-application meetings with District staff are strongly encouraged to identify issues early in the process.
- The amendment should be revised to delete references to the construction of recreational facilities along the Canal's right-of-way.
- The plan amendment would allow the planting of shade trees in the amendment area. The District typically does not approve the planting of trees within its rights-of-way, particularly along a canal such as the C-102. The amendment language should be revised to make clear that the planting of trees would occur on lands which the applicant has sole discretion to do so.

Regional Water Supply

- The proposed amendment has not demonstrated that there will be adequate and available water supplies to serve the proposed amendment area, when they will be available, and it is not clear how future water needs are being planned for or how they will be implemented. The following issues should be addressed before it can be demonstrated that there will be adequate and available water supplies.
 - The County is required to revise the CDMP's Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on November 8, 2018. Therefore, the County's Work Plan was to be updated and adopted by May 2020. To date, the District has not received the updated Work Plan. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply

projects, and describe conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website for the County's use and District staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>.

- The Miami-Dade Water and Sewer Department County submitted a Water Use Modification Application in November 2020 to the District to amend their Water Use Permit #13-00017-W. The Modification is currently under review and has not yet been approved. It is not clear if the water needs to serve the amendment area have been addressed in the Modification Application. The amendment should clarify the status of the Permit Modification and to insure how needed water for this project will be available to serve the area and when.
- The proposed amendment does not include a commitment from the Miami-Dade Water and Sewer Department that they have sufficient water available to serve the proposed development, that they will provide potable water to serve the proposed development, or when the water will be available.
- The proposed amendment should be revised to demonstrate if alternatives water sources to use of potable water could be utilized to support the non-potable water needs of the proposed land uses. The analysis should include the following:
 - The proposed source of water for landscape irrigation.
 - An explanation of how the proposed land uses could or could not use either on-site wells or reclaimed water for landscape irrigation for portions of the project that do not require potable water supply. If on-site wells or lake pumps are proposed for irrigation uses, a District Water Use Permit will be required.
 - If potable water is to be used for landscape irrigation, provide information to demonstrate how the use of potable water is consistent with provisions of the County's CDMP, including but not limited to Objectives CON-4 and ICE-4 and Policies CON-4A and ICE-4F, and will protect water recharge areas and encourage use of alternative water technologies to meet water demand.

Capital Improvements

- The proposed amendment area does not currently have any central water, sewer, or storm water management facilities to serve the area and potential proposed development. The proposed amendment should be revised to also includes amendments to the Capital Improvements Element (CIE) and the Five-Year Capital Improvements Schedule (CIS) for the needed facilities. This includes both publicly and privately funded projects necessary to achieve and maintain adopted level of service standards, including projects needed to serve all adopted or anticipated large-scale developments, even if the County is not responsible for the improvements. The following issues should be addressed, as applicable:
 - Amendments to the CIE and CIS to include the list of projects (alternative and traditional) to be undertaken to be consistent with the revised data and analysis for the plan amendment.
 - Use of alternative water supply sources such as reclaimed water to meet future water needs and incorporation of water conservation projects, consistent with the District's LEC Water Supply Plan Update and the County's Work Plan.
 - Indicate if the projects are funded or unfunded. If a project is unfunded, provide a level of priority for funding.
 - Identify projects beyond the Five-Year CIS and how they will be implemented and funded.
- Lack of information on water, sewer, and storm water management facilities is inconsistent with the CDMP's Future Land Use Element Policies LU-8D, LU-8E and Capital Improvements

Element Objectives CIE-3 and CIE-5 (and implementing policies) which require specific projects, scheduling and funding to be identified. Revise the amendment to include the requested information above consistent with aforementioned policies.

Ecosystem Restoration - Biscayne Bay

This amendment area is within the Study Area for the Biscayne Bay and Southeastern Everglades Ecosystem Restoration (BBSEER), a CERP planning study. BBSEER projects are still in early stage of development.

BBSEER builds on the Biscayne Bay Coastal Wetlands Phase 1 project to improve conditions in Biscayne Bay, and considers among others, measures needed for habitats to adapt to sea level rise. Additional information about BBSEER can be found at <https://www.saj.usace.army.mil/BBSEER/>. Although the project is in the planning phase, two management measures that would make use of this property for restoration of Biscayne Bay were proposed by the Project Delivery Team and are now included in the initial alternatives. These alternatives are posted at <https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll11/id/5384>.

- This property sits in a unique landscape position that would readily allow for storing, retaining, or detaining flows from the C-102 Canal Basin and potentially additional restoration flows through the C-102 from other Basins, in an effort to more evenly disperse flows throughout the year to Biscayne Bay. The ability to store or detain wet season canal flows for delivery during drier times is a key component to meeting BBSEER objectives. Management measures currently proposed at this location include a flow equalization basin or a water preserve area.
- BBSEER seeks to support the inland transition of coastal habitats that will likely be caused by sea level rise. Filling and converting the property from agriculture to development would reduce area available for transition of uplands to coastal wetlands, which is already very limited because of the density of development in Miami Dade County. Coastal wetlands are important storm buffers for the human landscape and are important for support of fish and wildlife in Biscayne Bay. Based on the USACE high sea level rise scenario, in 50 years this property at its current elevation could support coastal wetlands along the future shoreline.
- The Amendment package indicates the proposed land use change would reduce the agricultural lands dependent on seasonal drawdown of the C-102 Canal and further states these seasonal operations can have negative effects on Biscayne Bay and wetlands within the C-102 basin. The seasonal agricultural drawdown in this area is expected to continue until BBSEER modifies it or Sea Level Rise inhibits use of this area for agriculture. In either case, it is anticipated that the BBSEER project will have greater benefits to Biscayne Bay than provided by ceasing seasonal agricultural drawdowns in the vicinity. The Applicant's Appendix F (Appendices Page 281) includes information that the seasonal drawdown would have beneficial impacts on the C-102 Basin. The Appendix should be revised to include information that the land use change could also have potential negative impacts on the C-102 Basin.

The proposed amendment should be revised to acknowledge the amendment area is within the CERP Biscayne Bay and Southeastern Everglades Ecosystem Restoration planning study area and that proposed projects are still in early stage of development. The information should include the proposed development may impact CERP projects and other Biscayne Bay restoration activities.

October 22, 2021

The Honorable Daniella Levine Cava
Mayor, Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street, 29th Floor
Miami, Florida 33128

Dear Mayor Levine Cava:

The Department of Economic Opportunity (Department) has reviewed the Miami-Dade County proposed comprehensive plan amendment (Amendment No. 21-02ESR), received on September 22, 2021, pursuant to the expedited state review process in section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department's authorized scope of review.

We are, however, providing four technical assistance comments consistent with section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the County's comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are:

- TA Comment 1) Military Compatibility:

In considering the implications of future development resulting from the revisions proposed within the amendment, the Department strongly encourages Miami-Dade County to coordinate with the Homestead Air Reserve Base (HARB) on all matters pertaining to compatibility with the HARB military installation. In addition, it is important to note the proposed amendment could result in further encroachment on HARB inconsistent with Section 163.3175(1), Florida Statute; therefore, pursuant to HARB's letter dated October 18, 2021, it is recommended the proposed policy revisions be further revised to apply only to the subject property.

- TA Comment 2) Internal Inconsistency:

As currently proposed, the map amendment converts Agriculturally designated properties located mainly within the Coastal High Hazard Area (CHHA) to the Special District designation. Supporting text amendments will also allow urban type

development within the CHHA. The allowance of this type of development should be considered as to whether it conflicts with Policy CM-9A, and Sections 163.3177(6)(g)6., and 163.3178(1), Florida Statutes. The County's Comprehensive Development Master Plan (CDMP) identifies the CHHA as being among the areas least suitable for urban development (Land Use Element page I-88 and I-89) and language within CDMP Policy CM-9A.i) and ii) specifically discourages development in the CHHA and directs new development to high ground. However, the proposed amendment would allow more than 9 million square feet of non-residential development and up to 84 residential units (farm residences in Phase III of the development) predominately located within the CHHA. The County may want to give further consideration on whether this amendment is internally inconsistent with the CDMP Policy CM-9A pursuant to Section 163.3177(2), Florida Statute.

- TA Comment 3) Agency Coordination:

The Department strongly encourages Miami-Dade County to coordinate with all commenting review agencies to address their concerns prior to the adoption of this amendment. The County is also encouraged to take into consideration the input of other local and tribal governments in this matter.

- TA Comment 4) Orderly and Balanced Future Development:

The County's amendment proposes to create exemptions for certain non-residential properties related to expansions of the Urban Development Boundary and increased intensities within the CHHA, as noted in the text revisions to Land Use Element Policy LU-8H and Coastal Management Element Policy CM-9A respectively. The County may want to further consider how these revised policies could be applied to additional properties throughout the County and if that will aid in achieving the vision and long-term development goals of its CDMP.


The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.

- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Melissa Corbett, Planning Analyst, by telephone at (850) 717-8505 or by email at Melissa.Corbett@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/mc

Enclosure(s): Procedures for Adoption

cc: Lourdes M. Gomez, AICP, Regulatory and Economic Resources Director, Miami-Dade County
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172-5800

KEVIN J. THIBAUT, P.E.
SECRETARY

October 21, 2021

Mr. Jerry Bell, AICP
Assistant Director
Miami Dade County
Department of Regulatory and Economic Resources
Stephen P. Clark Center
111 NW 1st Street, 12th Floor
Miami, Florida 33128

**Subject: Comments for the Miami-Dade County Comprehensive Development
Master Plan Amendments - FDEO #21-02ESR**

Dear Mr. Bell:

Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT), District Six, reviewed the two proposed amendments to Miami-Dade County's Comprehensive Development Master Plan (CDMP).

Amendment CDMP20210003 is a text and land use plan amendment that will extend the Urban Development Boundary to include the 793-acre subject property and redesignate the site from Agricultural to Special District that will permit the South Dade Logistics & Technology District. This amendment is located immediately south of the interchange at the Homestead Extension of Florida's Turnpike [(HEFT) is a Strategic Intermodal System (SIS) facility] and SW 112th Avenue.

Amendment CDMP20210008 is a text amendment to add a Private Property Rights Element to the County's CDMP. It was submitted pursuant to Section 163.3177(6), Florida Statutes (2021), which requires each local government to include a property rights element in its comprehensive plan. The District reviewed the amendment packages per Chapter 163 Florida Statutes. Amendment CDMP20210008 (Property Rights Element) was found to not impact transportation resources and facilities of state importance.

Similarly, Amendment CDMP20210003 (South Dade Logistics & Technology District) was also found to not impact SIS facilities under the District's jurisdiction. However, the Amendment's traffic volume projections are low and may result in capacity issues along Florida's Turnpike); the Turnpike currently does not have plans in its Work Program to add capacity in this area.

FDOT's number one priority is safety for all road users with a goal of zero fatalities and injuries. It is recommended that Miami-Dade County continue to identify and address the safety needs for all modes of travel, including public transportation. FDOT encourages the County to include pedestrian and bicycle facilities to promote a safe walkable and connected community consistent with Section 163.3177, Florida Statutes.

Thank you for coordinating on the review of this proposed amendment with FDOT. We remain a technical resource for this project. If you have any questions related to District Six facilities, please contact Shereen Yee Fong at (shereen.yeefong@dot.state.fl.us) or (305) 470-5393. For questions related to the Turnpike, please contact Ms. Carol Scott by e-mail (carol.scott@dot.state.fl.us) or at (407) 264-3023.

Sincerely,

DocuSigned by:

705CB16FD3D5405...
Kenneth Jeffries
Planning Manager

Cc: Daniel Iglesias, P.E., Florida Department of Transportation
Dat Huynh, P.E., Florida Department of Transportation
Shereen Yee Fong, Florida Department of Transportation
Carol Scott, Florida's Turnpike Enterprise
Ray Eubanks, Department of Economic Opportunity
Isabel Cosio Carballo, South Florida Regional Planning Council
Kathe Lerch, South Florida Regional Planning Council



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES COMMISSIONER NICOLE "NIKKI" FRIED

October 21, 2021

VIA US MAIL/EMAIL (Jerry.Bell@MiamiDade.gov)

Mr. Jerry Bell, AICP
Miami-Dade County
Stephen P. Clark Center
111 NW 1st Street, 12th Floor
Miami, FL 33128

Re: DACS Docket # -- 20211004-344
Miami-Dade County 21-02 ESR
Submission dated September 22, 2021

Dear Mr. Bell:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendments on October 4, 2021, and has reviewed them pursuant to the provisions of Chapter 163, Florida Statutes, to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendments are adopted. Based on our review of the amendments submitted by your county, the Department has the following comments regarding the proposed changes:

The Department objects to the proposed comprehensive plan amendments. The subject property for the proposed project constitutes approximately 793 acres of agricultural land, only one-third of which is currently under the legal control of the project applicant. The Department asserts that the proposed amendments would adversely impact agricultural lands – an irreplaceable resource of statewide importance as noted in 163.3162(1), Florida Statutes, – and would therefore not be in compliance with the *Community Planning Act* in which agriculture is "to be recognized and protected" under 163.3161(11), Florida Statutes. There are several factors which contribute to the Department's objection to the proposed amendments.

Reduction of Agricultural Lands of Importance: The project applicant has asserted that "agriculture is not a long-term viable activity within the site (package pp. 740)," that "continued agricultural use is marginal at best (package pp. 739)," and that "the property is not currently a vital component of the County's agricultural lands (package pp. 747)." The Department does not concur with this assessment. The property represents a contiguous parcel to adjoining agricultural lands that are an integral part of the

vibrant South Dade County agricultural foundation. These agricultural lands have been increasingly under pressure from development, fragmentation, and flood control and water management challenges. In addition to the sweet corn and bush beans crops produced on neighboring parcels, the adjacent areas house nurseries and significant acreages of specialty crops that are only able to be produced in an economically stable agricultural environment in South Dade.

Miami-Dade County's agricultural manager indicated that the two main soil types that comprise 90 percent of the proposed area are defined as "farmland of unique importance" by the U.S. Department of Agriculture – the highest soil classification in Miami-Dade County – and only two percent of the proposed area is classified as "not prime farmland." According to this memorandum, "changing the land use designations for this area will accelerate the conversion of the land to non-agricultural uses and deplete the availability of farmland of unique importance." In addition, Miami-Dade County's Agricultural Practices Advisory Board, in its September 2, 2021 meeting, expressed its disapproval and unanimously recommended that these proposed amendments be denied, due to potential impacts particularly to agricultural drainage and sufficient industrial land within the UDB for several decades.

Miami-Dade County's staff analysis recommended denying and not transmitting the proposed amendments, finding that due to the existing supply of vacant industrial acreage and the preference for infill development to minimize the loss of agricultural land, expanding the Urban Development Boundary (UDB) was not warranted at this time (package pp. 94). County staff asserted that the applicant has not demonstrated a need for this development capacity on this agricultural land (package pp. 94). Staff also asserted that the proposed amendments are inconsistent with land use policies in which UDB amendment applications provide preservation of, and adequate buffering to, adjacent agricultural land (package pp. 95). Further, staff asserted that the proposed amendments are incompatible with adjacent agricultural uses, and that the application does not address this compatibility with agricultural lands in sufficient detail (package pp. 95).

Impacts to Agricultural Water Management: Development in the proposed area not only threatens agricultural production, but also threatens to disrupt the delicate balance of flood control, recharge, nutrient filtering, and water management that takes place throughout the agricultural community and provides significant benefits to Biscayne Bay and the environment of South Dade.

A review by our Office of Agricultural Water Policy finds that the proposed amendments will alter the flood control of the surrounding area and require significant changes to water management to ensure the viability of the remaining adjacent agricultural parcels. Additionally, the construction of significant acreages of impervious surface will rob the surrounding area of vital water management and recharge benefits, as well as the water quality benefits that accrue from the efficient and effective implementation of agricultural best management practices which provide marked conservation and habitat benefits, both on the subject parcel as well as for the surrounding natural resource environments.

Miami-Dade County's staff analysis indicated that the proposed amendments are "particularly lacking in information about drainage impacts to the agricultural uses to the east and south (package pp. 98)," and that the applicant has not "provided adequate information and analysis to determine the potential impacts to neighboring [agricultural] properties, particularly as to drainage. (package pp. 98)." County policy also states that "areas in Miami-Dade County having soils with good potential for agricultural use without additional drainage of wetlands shall be protected from urban encroachment (package pp. 100).

The Department concurs with Miami-Dade County staff that the “premature and unwarranted replacement of 793.93 acres of agricultural land, the majority of which is ‘farmland of unique importance,’ with urban uses that have not shown to be needed at this time directly contravenes (package pp. 100)” the County’s own CDMP policies, and that “the application fails to make commitments to preserve agricultural lands in other locations, as required by Policy LU-8H (package pp. 100).”

Following the Department’s review pursuant to Chapter 163, Florida Statutes, the Department recommends that the proposed comprehensive plan amendments be denied on the basis of potential adverse impacts to agricultural land, an “irreplaceable resource of statewide importance” that is predominantly “farmland of unique importance,” as well as agricultural water management, both of which are central to Miami-Dade County’s \$2.7 billion agriculture industry.

If our Department may be of further assistance, please do not hesitate to contact me at 850-410-2280.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Poucher".

Thomas Poucher
Director
Office of Policy and Budget


cc: Florida Department of Economic Opportunity
(SLPA #: Miami-Dade County 21-02 ESR)

Memorandum



Date: September 8, 2021

To: Jerry Bell, Assistant Director of Planning
Department of Regulatory and Economic Resources

From: Rashid Istambouli, P.E.
Department of Regulatory and Economic Resources 

Subject: DERM Response to SDLTD_Public Infrastructure Letter V2 submitted for Aligned Real Estate Holding LLC and South Dade Industrial Partners, LLC, to Amend the Comprehensive Development Master Plan (CDMP20200003)

The Division of Environmental Resources Management (DERM) has reviewed the document entitled "SDLTD_Public Infrastructure Letter V2" prepared by Langan Engineering and Environmental Services, Inc., received by Miami-Dade County Planning Division on August 17, 2021, and offers the following comments.

Response to Development Parcels Stormwater Design, Existing Agriculture Ditch System and Neighboring Properties and Existing Agricultural Area

The letter dated August 17, 2021, with this submittal indicated "*the purpose is to describe and evaluate public infrastructure for the South Dade Logistics and Technology District, particularly stormwater management improvements associated with the development*".

DERM has reviewed the applicant's August 17, 2021, submittal and has determined the document does not provide sufficient detail on stormwater management infrastructure needed for the proposed land uses in Phases I and II, and does not identify stormwater management infrastructure needed for Phase III. No timeline for the phased improvements was provided in the document. Additionally, insufficient information was provided in order to verify the stated discontinuity of hydrology with adjacent lands or to confirm if adjacent properties are draining historically to this area which may require mitigation of displaced stormwater storage area from the proposed fill. Finally, the submittal did not include an environmental investigation of both soil and groundwater to determine any presence of chemical contamination on the project site that may prevent installation of drainage retention systems.

The applicant did not provide any certified topographic survey and any associated contour lines for the site. Without the topographic information illustrating the topography of the site, it is not certain on how the site runoff is drained directly to the surrounding ditches and canal. Therefore the amount of the computed discharge into any specific ditch or canal cannot be adequately reviewed and verified.

Site runoff seems to drain significantly and directly to the existing SW 268th Street ditch north (flood control/agricultural ditch) and ultimately to the SFWMD C-102 canal via a culvert at SW 107th Avenue. In addition, off-site runoff from the adjacent and western shallow swale system, located just north of SW 268th Street right-of-way, historically and eventually discharges easterly to the SW 268th Street ditch north. The subject western swale system is hydraulically connected to the existing flood control/agricultural ditch. The SW 268th Street ditch north and SW 107th ditch west will need to remain after post-development. Furthermore, there seems to be additional off-site runoff historically discharging to the other impacted ditches as well. The applicant states that the proposed development will be constructed in phases without any specific timeframe, which will likely create uncertainty for stormwater conveyance and flow interruption within the ditches. Therefore, the applicant needs to dedicate the sufficient right-of-way for the ditches possible relocation and to be constructed by the applicant to ensure

the historical continuity of stormwater treatment and conveyance. The temporary alteration or permanent elimination of the ditches will likely cause adverse impact to the off-site runoff storage and conveyance capabilities.

The applicant states that the sites will include a perimeter berm set at the calculated 100-year 3-day storm event to retain the runoff from the development, thus protecting the neighboring properties. However the applicant did not demonstrate how the perimeter berm will be accomplished and how the perimeter berm will retain the onsite runoff. Additionally it seems unclear and challenging regarding the successful achievement of the intent of the berm in regard to the interference of the berm to the roadway access and driveway connections, which may not provide sufficient protection to the neighboring properties.

The stormwater report assumes that contamination is very minimal, and that the designs will incorporate exfiltration trenches, and surface storage dry retention areas, as needed. The applicant has not submitted a comprehensive environmental assessment report for DERM to determine if exfiltration trenches are feasible.

Assuming that contamination is negligible (which the applicant has not demonstrated to DERM), the conceptual stormwater calculations also assume that drainage by exfiltration trench can function adequately during the extreme flood events. Section 3.4 of the Environmental Resource Permit Applicant's Handbook Volume II, per Rule 62-330.010, F.A.C., requires flood protection from a 100-year 3-day storm event. In addition, Section 3.6 of the same manual requires no net encroachment into the floodplain, between the average wet season water table and that encompassed by the 100-year 3-day storm event. The applicant should provide stormwater calculations that rely more on surface storage and not assume discharge on the 100-year storms because the assumption is that the ground is fully saturated, and the design head is zero resulting in limited discharge to zero discharge. The report also assumes ideal discharge conditions, which are unrealistic and variability in hydraulic conductivities are expected. Note that percolation tests were done at existing site elevations. The proposed development sites would be filled (in some cases several feet higher than existing elevations to comply with Florida Building Code FEMA requirements) which would reduce the hydraulic conductivities because the design trench depth will be shallower than the percolation test depth. Stormwater calculations should be conservative and use more surface storage to show that the proposed development will not impact adjacent properties.

The stormwater report did not determine if adjacent properties and agriculture will require stormwater compensation for the lost storage from the proposed development. The proposed additional fill and exfiltration trenches in the SDTLD will increase the groundwater elevation, which can create flooding impacts to upstream areas due to a reduction of exfiltration trench capacities from reduced hydraulic heads.

In reference to FIG-04, although the applicant provides two areas noted as retention without any cross sections, which seem to be insufficient, however the applicant did not provide any other locations and the specific volume for dry retention areas. Therefore, it is not feasible to adequately review and verify that the proposed system will retain complete on-site storage and will prevent the discharge of any given volume of stormwater runoff into surface waters in the neighboring properties and the surrounding ditches.

In reference to the FIG-02, no topographic data or contour lines are provided to justify the flow arrows. Therefore, it is not feasible to adequately review and verify.

In reference to FIG-04, drawing title "Proposed Canal Conveyance System", no proposed grading and contour lines are shown and provided by the applicant. The applicant is proposing to utilize the existing

ditches for the proposed stormwater conveyance systems which seem to contradict the following statements made on page 3 of 5 by the applicant. *“The proposed development parcels will be designed in accordance with stormwater best management practices and current Miami-Dade County requirements. Designs will incorporate exfiltration trenches, surface storage dry retention areas, as needed”.*

Response to Environmental Investigation Comments

The Environmental Monitoring and Restoration Division (EMRD) has reviewed the responses provided by Langan Engineering and Environmental Services (dated August 17th, 2021), in reference to the Comprehensive Development Master Plan (CDMP20200003), and hereby offers the following comment:

The EMRD has not received a comprehensive environmental assessment report of the proposed project area (~794 acres) in support of the applicant’s assertion that widespread contamination from agricultural use (or potentially other historic land use) is not present. Limited soil and groundwater data has been received for approximately 204 acres or 25%, of the proposed SDLTD project area (Folio Nos: 30-6031-000-0060, 30-6030-000-0010, -0120, -0130, -0140, and 30-6030-000-0150 (HWR-1148) and 3060300000120 (HWR-938)). Preliminary data thus far indicates discontinuous areas of soil and groundwater contamination (e.g., arsenic, nitrate, dieldrin), and as such, the data and information presented thus far is not sufficient to infer the environmental condition of the entire SDLTD project area and further investigation of the overall area is warranted.

The CDMP20200003 application does not include the conceptual drainage system for the Phases I, II and III of the project area (inclusive of drainage associated with major and minor roadways), nor a conceptual drainage design has been provided to EMRD for the overall project area. Note that the use of shallow stormwater disposal systems (e.g., exfiltration trenches, retention areas, swales, etc.) may be precluded in some areas of the project, unless assessment demonstrates the absence of contamination. A more specific guidance may be provided by EMRD if a conceptual drainage design is submitted and the associated assessment.

Date: June 25, 2021

To: Jerry Bell, Assistant Director Regulatory and Economic Resources, Planning

From: Charles A. LaPradd, Agricultural Manager

Subject: CDMP Application CDMP20210003

I appreciate the opportunity to comment on Application CDMP20210003 proposed amendment to the Miami-Dade County Comprehensive Development Master Plan (CDMP), with regards to the impacts on agriculture in Miami-Dade County. My comments are as follows:

- The application proposes to move the Urban Development Boundary line and change the land use designation on ±792.18 gross acres/±720.58 net acres as shown in application CDMP20210003.
- Applicant is requesting a change in the Land Use Plan map designation from "Agriculture" to "Special District".
- Applicant is requesting revisions to CDMP Land Use Element Policy LU-8H and Coastal Management Element Policy CM-9A.

The subject parcel is currently designated Agriculture and is primarily utilized for active agriculture production. The two main soil types that make up 90% of the area, as classified by the United States Department of Agriculture, are Perrine Marl and Biscayne Marl. Both soil types are defined as "farmland of unique importance" by the USDA. There are some minor soil types in the subject area, all are defined as "farmland of unique importance" with the exception of two types that comprise less than 2% of the total land area which are classified as "not prime farmland". (See attachment "A")

The USDA defines Farmland of unique importance *as follows*:

Unique farmland is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate... (See attachment "B")

The highest soil classification in Miami-Dade County is "farmland of unique importance". Changing the land use designations for this area will accelerate the conversion of the land to non-agricultural uses and deplete the availability of farmland of unique importance.

Drainage:

This area has a significant amount of public and private drainage systems, that if disrupted, would eliminate the ability to farm within the area of application as well as surrounding farmland. Adequate drainage in the area must be maintained so as not to adversely affect properties and farm operations. As site development occurs, parcels will be elevated with fill. Buffers/retention areas are needed to mitigate for the drainage from the elevated parcels onto adjacent farmed properties.

In addition, a significant portion of the drainage systems exists under existing roadways. The efficiency of this drainage network must be maintained and not disrupted, especially during the rain/hurricane season.

Special District Language:

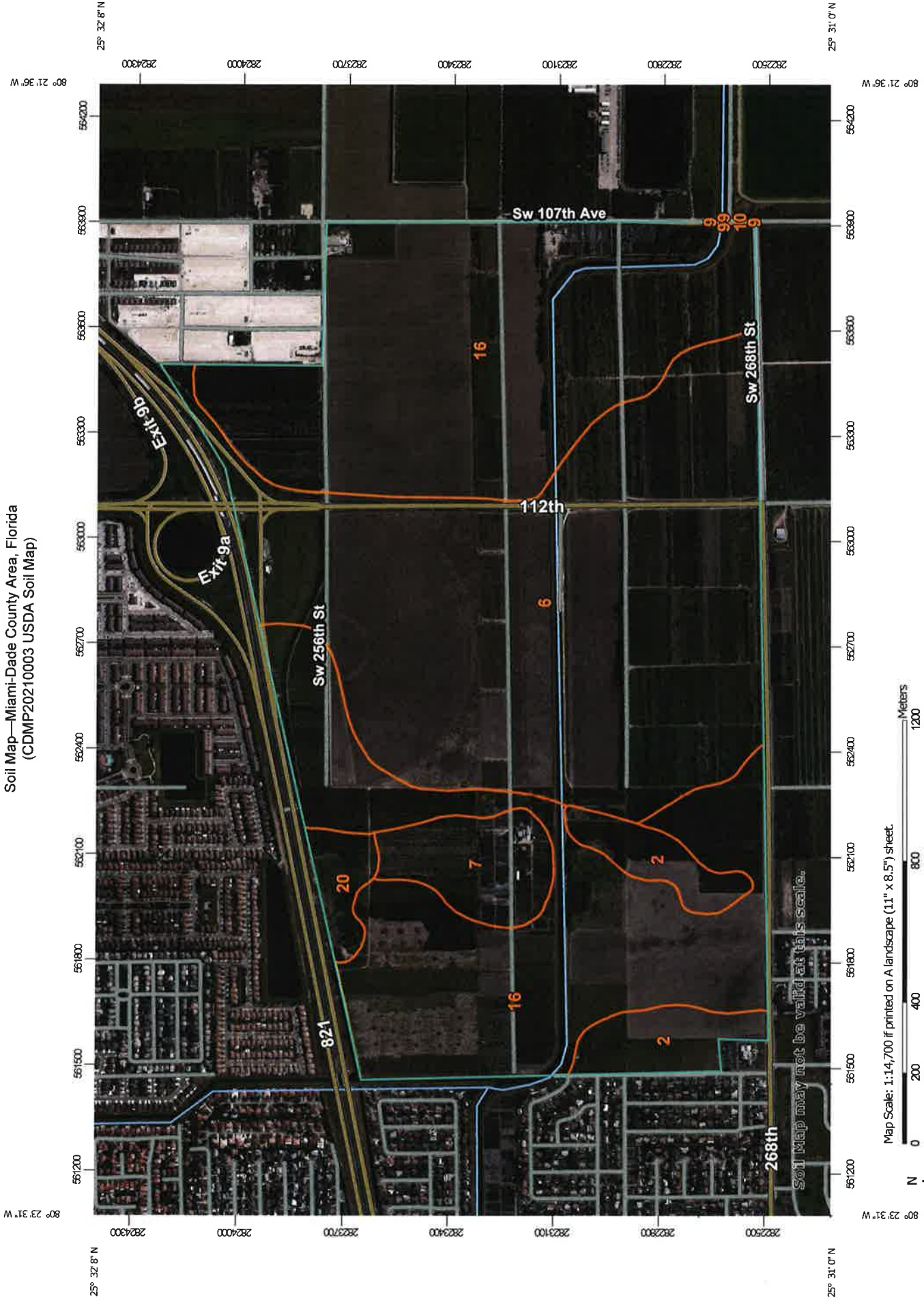
The special district language removes the allowance of agricultural uses in phases I & II. This this could preclude farm operations from continuing in those areas. Given the potential for delays in development/construction, the language should be amended so that agricultural operations would be allowed to continue in Phase I & II until such time as the land is converted from an agricultural use.

Roadways:

The subject area has a limited network of public roadways. Any roadway improvements should be designed to allow access and use of large farm equipment. Property access should be maintained. This is vital to the continued farm production in and around the subject area. Roadways should be designed to ensure there are no adverse impacts on drainage in the area or onto adjacent lands. As mentioned under the drainage heading, a significant portion of the drainage systems exists under existing roadways. The efficiency of this drainage network must be maintained and not disrupted, especially during the rain/hurricane season.

Attachment "A"

Soil Map—Miami-Dade County Area, Florida
(CDMP20210003 USDA Soil Map)



Map Scale: 1:14,700 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

4. APPLICATION SUMMARY

Application No. CDMP20210003
Aligned Real Estate Holdings, LLC, Et. al
Commission District 8 Community Council 15

APPLICATION SUMMARY

Applicant/Representative(s):	Aligned Real Estate Holdings LLC/ Jeffrey Bercow, Esq., Graham Penn, Esq., Emily K. Balter, Esq., Bercow Radell Fernandez Larkin & Tapanes, PLLC South Dade Industrial Partners, LLC, Bedrock South Dade 112 Avenue, LLC, Bedrock South Dade 268 Street, LLC/Juan Mayol, Jr., Esq., Joseph G. Goldstein, Esq., Pedro A. Gassant, Esq., Holland & Knight LLP
Location:	South of the Homestead Extension of Florida Turnpike (HEFT), between SW 107 Avenue and SW 122 Avenue, north of SW 268 Street/Moody Drive
Total Acreage:	±793.93 gross acres (±722.33 net acres)
Current Land Use Plan Map Designation:	"Agriculture"
Requested CDMP Amendments/Land Use Plan Map Designations:	<ol style="list-style-type: none">1. Expand the 2030 Urban Development Boundary (UDB) to include the application site.2. Redesignate the application site on the Land Use Plan map from "Agriculture" to "Special District".3. Amend the interpretative text of the Land Use Element to create the "South Dade Logistics & Technology District"4. Amend Policy LU-8H in the CDMP Land Use Element5. Amend Policy CM-9A in the CDMP Coastal Management Element6. Add the proffered Declarations of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element, if accepted by the Board.
Amendment Type:	Standard (Being processed with concurrent zoning Application Nos. Z2021000050, Z2021000051, Z2021000052, Z2021000053, Z2021000054, and Z2021000089)
Existing Zoning District/Site Condition:	AU ("Agricultural District") and GU ("Interim District")/Agricultural

RECOMMENDATIONS

Staff:	DENY AND DO NOT TRANSMIT (August 2021)
South Bay Community Council (CC15):	TRANSMIT AND ADOPT (August 23, 2021)
Planning Advisory Board (PAB) Acting as the Local Planning Agency:	TRANSMIT AND ADOPT WITH ACCEPTANCE OF THE PROFFERED DECLARATIONS OF RESTRICTIONS, AND WITH THE RECOMMENDATION THAT THE BOARD REQUIRE PHASE III TO PROVIDE THE SAME COMMITMENTS AS PHASES I AND II THROUGH AN APPROPRIATE MEANS (August 25, 2021)
Transmittal Action of Board of County Commissioners:	TRANSMIT WITH CHANGES AND WITH THE REVISED PROFFERED DECLARATIONS OF RESTRICTIONS AND WITH THE CONDITION THAT THE APPLICANT WORK WITH STAFF TO NARROW AND LIMIT THE SCOPE OF THE PROPOSED POLICY LU-8H REVISIONS REGARDING CONCURRENT ZONING APPLICATIONS TO APPLY TO THIS CDMP APPLICATION ONLY (September 9, 2021)
Final Action of Board of County Commissioners:	TO BE DETERMINED (TBD)

Staff recommends to **DENY AND DO NOT TRANSMIT** the proposed standard amendment to the Comprehensive Development Master Plan (CDMP) Adopted 2030 and 2040 Land Use Plan (LUP) map. The revised application seeks to: expand the 2030 Urban Development Boundary to include the ±793.93 gross/722.33 net acres application site; redesignate the site from “Agriculture” to “Special District”; amend the CDMP interpretive text of the Land Use Element to create the “South Dade Logistics & Technology District”; amend Policy LU-8H in the CDMP Land Use Element; amend Policy CM-9A in the CDMP Coastal Management Element; and add the proffered Declarations of Restrictions in the Restrictions Table in Appendix A of the CDMP Land Use Element. Staff’s recommendation on the application is based principally on the following reasons:

Principal Reasons for Recommendation

1. The application proposes text changes and development that are contrary to and inconsistent with CDMP provisions for determining when to add lands to the 2030 Urban Development Boundary (UDB). The CDMP clearly expresses that the threshold consideration for moving the UDB is the demonstration of need based on the standards set forth in Policy LU-8F. Specifically, CDMP Land Use Element Policy LU-8G requires that, before considering expansion of the UDB, a need for additional developable land must first be demonstrated in accordance with Policy LU-8F. Consideration of the extent to which an application promotes other CDMP policies is secondary to the needs analysis.

As defined in the CDMP, need is essentially a mathematical expression that calls for the quantification and maintenance of a land supply inventory for the 10-year planning horizon. Land Use Element Policy LU-8F requires the UDB to contain adequate developable land (land supply) having the capacity to accommodate the County’s projected population and economic growth. Adequacy of non-residential land supply is to be determined by countywide supply as well as by subareas of the County appropriate to the type of use, which, for industrial uses, means planning tiers, half-tiers, or combinations thereof. To arrive at this land supply inventory, the Department’s Planning Research Division undertakes a detailed parcel by parcel analysis. This research involves analysis of at least the following: applicable zoning regulations; approved development orders, covenants, and restrictions; environmental considerations; ownership patterns and infrastructure; and the actual development status of parcels.

Based on this analysis, the Planning Division projects that the entire South Planning Analysis Tier (“South Tier”; generally the area south of SW 184 Street), in which the subject property is located, will currently deplete its supply of industrial zoned land beyond the year 2040. Depletion of the relevant land supply at or after the planning horizon of the UDB (currently year 2030) demonstrates that there is no need to add lands within the UDB for such uses. Accordingly, based on the Department’s data and analysis, the application does not satisfy the threshold demonstration of need. Furthermore, in staff’s opinion, the supplemental data and information provided by the applicants does not supplant or rebut the Department’s data and analysis.

The application proposes to develop 9,305,000 sq.ft. of industrial uses, 120,000 sq.ft. of supportive commercial uses, a 150-room hotel, and up to 84 single family residences on land that is currently located outside the UDB. If the proposed application is approved, it will remove approximately ±793.93 acres of agricultural land and increase the supply of vacant industrial land by over 700 acres. Using the current absorption rate in the South Tier, the application will extend the depletion of industrial land supply in that tier, which is

not projected to be depleted until after 2040, by over 100 years. Given the existing supply of vacant industrial acreage in the South Tier, as determined through staff's analysis, and CDMP policies encouraging infill development while providing for UDB expansions to occur when warranted and coordinated to minimize the loss of agricultural land, expanding the UDB by ±793.93 acres to provide for the requested uses is not warranted at this time. Because no need to expand the UDB in this area has been demonstrated, the application is inconsistent with Policy LU-8F.

2. The application proposes development contrary to and inconsistent with CDMP Objective LU-1 and Policies LU-1C and LU-10A, and that may redirect economic development efforts away from currently planned areas inside the UDB. The Objective and Policies require the County to prioritize infill development on vacant sites in currently urbanized areas and redevelopment of substandard or underdeveloped, environmentally suitable urban areas contiguous to existing urban development where urban services and facilities have the capacities to accommodate additional demand. Staff's analysis of industrial land determined that over 500 acres of vacant land are zoned or designated for industrial uses in the applicable planning tier, and over 1,700 acres of parcels 10 acres or larger are available countywide (see Supply and Demand Analysis on page 28). Furthermore, ±12.7 million square feet of vacant industrial space are currently available countywide, which represents an increase of 39% of industrial space available for lease since the third quarter of 2018, while over the same time period, industrial rents have declined by 22.3% (see Supply and Demand Analysis on page 28). These are not indicators of a market in demand of increased supply of industrial space or industrial acreage, but rather, may be indicative of a market positioned more to competition between industrial spaces for potential tenants.

The application proposes over 9 million square feet of primarily industrial development on almost 800 acres of agricultural land currently outside the UDB without demonstrating a need for this additional development capacity (see Principal Reason No. 1 above). Given that the industrial land in the South Tier currently has the capacity to sustain industrial growth beyond the year 2040, increasing the acreage more than twofold or by more than 100 years of additional supply, as proposed in the application, runs contrary to the policy objectives of prioritizing the use of existing sites currently inside the UDB. Additionally, the application does not demonstrate why available industrial parcels within the UDB are not adequate for the proposed industrial development (nor, as discussed in Principal Reason No. 8, does the application address why, even if available parcels within the UDB are inadequate, the additional capacity must be added within the Coastal High Hazard Area). Because the application, if approved, would discourage infill and redevelopment of existing vacant industrial land and industrial spaces within the UDB, it is inconsistent with the above-referenced CDMP objective and policies to prioritize utilization and redevelopment within the UDB.

3. The application is inconsistent with Land Use Element Policy LU-8D and Capital Improvements Element Objectives CIE-3 and CIE-5, as it fails to demonstrate adequate plans for infrastructure that would be needed to support the proposed development. CDMP Policy LU-8D provides that "the LUP map shall not be amended to provide for additional urban expansion unless traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area are included in the plan and the associated funding programs are demonstrated to be viable." Capital Improvements Element Objective CIE-3 provides that "land use decisions will be made in the context of available fiscal resources such that scheduling and providing capital facilities for new development will not degrade adopted service levels." Objective CIE-5

provides that “[d]evelopment approvals will strictly adhere to all adopted growth management and land development regulations and will include specific reference to the means by which public facilities and infrastructure will be provided.”

The application lacks adequate information about the needed infrastructure, specifically as it relates to traffic circulation, mass transit, drainage, and parks and recreation. In some instances, the application contains no information or discussion about the relevant infrastructure. In others, the applicants represent that the required information will be provided later, but provide no details of how or provide any guarantee to the County that the necessary infrastructure will in fact be provided.

This information gap is particularly significant for Phase III, which the applicants do not control and for which no definitive development program is provided (see Development Program in the Staff Analysis page 22 and in Other Considerations page 77). Phase III comprises the majority of the acreage in the application, yet the application is devoid of information that would assist in appropriate infrastructure planning for Phase III. Provision of infrastructure must be addressed to be consistent with existing CDMP policies, and any required infrastructure commitments must be addressed in the application, special district text, or associated covenants. Because of the dearth of information adequately addressing the infrastructure needs of the proposed special district, at this time, the application is inconsistent with Policy LU-8D and Objectives CIE-3 and CIE-5. It should also be noted that staff’s analyses of the applicants’ Traffic Study and Economic Report identified a significant disparity in projected employment between the two documents, which could have significant implications for impacts mitigation. Extrapolation from the Traffic Study data indicates the proposed development would generate close to 4,000 jobs while the Economic Report states 16,738 jobs would be created on site (see staff’s review of Economic Report beginning on page 29). In Response to this issue, by letter dated July 20, 2021 from the applicants’ transportation and economic consultants, among other things, revised the number of jobs stated in the Economic Report downward by 4,876, to 11,762 jobs on-site, and the associated analysis is being reassessed. The applicant has since submitted a revised Economic Report that is being reviewed by staff.

4. The application is inconsistent with Land Use Element Policy LU-8H, which calls for the coordination of necessary infrastructure with future expansions of the UDB. Policy LU-8H requires that, “[i]n addition to conformance with Policies LU-8F and LU-8G, applications requesting expansion of the UDB must...[address] how the proposed development will satisfy the criteria set forth in this policy. A zoning application must be filed concurrently with the CDMP Land Use Plan map amendment...”. Policy LU-8H requires UDB map amendment applications to be evaluated according to factors including: (a) minimum acreage requirement, (b) mix of housing types, (c) minimum Floor Area Ratio, (d) phasing schedule, (e) adequate public facilities and infrastructure, (f) non-residential needs of future residents, including shopping, schools, parks and necessary public uses (g) jobs to housing ratio, (h) sound urban design, (i) bicycle and pedestrian accessibility, (j) adequate buffering to adjacent agricultural land, (k) minimum open space requirement, (l) protection of environmentally-sensitive areas, (m) positive net fiscal impact to Miami-Dade County, (n) minimum affordable housing requirement, (o) commitments for mass transit, (p) commitments to maintain roadway level of service, and (q) preservation of agricultural land. As submitted, the application fails to conclusively demonstrate how the proposed development will satisfy the following criteria applicable to non-residential projects: (d), (e), (h), (i), (k), (l), (m), (o), (p) and (q). (See Consistency with Policy LU-8H in the Staff Analysis page 72.)

The applicants have submitted five separate zoning applications to be processed concurrently with this CDMP application, but these five zoning applications address less than half of the ±793.93-acre CDMP application area. Policy LU-8H requires the concurrent processing of zoning application(s) with UDB expansion applications to provide, among other reasons, greater specificity of the proposed development to ensure that the associated impacts to public facilities and services are appropriately quantified and mitigated. The applicants' inability to provide the development specificity required to demonstrate compliance with Policy LU-8H underscores that there is no need to expand the UDB for the proposed uses and that the application is premature.

5. Rather than complying with the requirements of Policy LU-8H by providing a definitive development program, the applicants instead propose to address their application's deficiencies by amending Policy LU-8H to exempt non-residential developments from the requirement to submit a concurrent zoning application for the entire CDMP application area. The proposed amendment would significantly diminish the CDMP's effectiveness in coordinating urban expansion and properly managing the County's growth. The applicant's proposed text changes to Policy LU-8H are thus contrary to the intent behind recent updates to the Policy and not in the County's best interest. Moreover, this proposed policy change would not only allow this application to avoid providing a definitive development program for the majority of the application area, but it would also allow future applications to do so as well.

The Board of County Commissioners recently updated Policy LU-8H in the May 2019 Cycle (Application No. 5), as part of the statutorily required evaluation and appraisal of the CDMP (Ordinance No. 20-77). The adopted amendments require each proposed UDB expansion to demonstrate a positive fiscal impact to the County, align with land use goals, minimize and mitigate negative impacts, and ensure that adequate infrastructure and services will be in place to serve the new development. The proposed policy change would undermine these goals, as it would allow approximately 52% of the UDB application site (Phase III) to remain without a coordinated plan of development at the time of submittal, making it difficult or impossible for the County to assess comprehensive impacts and plan for appropriate infrastructure.

Additionally, the proposed text amendment would allow the area exempted from a zoning application to be developed indefinitely in accordance with the existing land use designation and zoning district. While retaining existing lawful zoning makes sense in certain contexts, retaining it on lands to be added within the UDB undercuts the justification that moving the UDB is warranted for this ±793-acre application at this time. The same issue would arise in future applications seeking to exempt themselves from a concurrent zoning application. As with this application, the existing land use and zoning for other UDB expansions are likely to be agricultural. If the applications are expected to retain agricultural uses for the foreseeable future, it is hard to see the necessity for adding those lands to the urbanized area. (See Staff Analysis page 76 regarding Proposed Changes to Policy LU-8H.) For the above-mentioned reasons, staff recommends against amending Policy LU-8H in the manner proposed.

6. Approval of the application would be inconsistent with the criteria set forth in CDMP Land Use Element Policy LU-8E for evaluating Land Use Plan map amendment applications. Policy LU-8E requires LUP map amendment applications to consider factors such as:
 - (i) the proposed amendment's ability to "[s]atisfy a deficiency in the Plan map to

accommodate projected population or economic growth of the County;” (ii) whether the proposed amendment would “[e]nhance or impede provision of [public] services [or facilities] at or above adopted LOS Standards;” (iii) whether the proposed amendment would “[b]e compatible with abutting and nearby land uses”; (iv) whether the proposed amendment would “[e]nhance or degrade environmental or historical resources;” (v) whether the proposed amendment would “[e]nhance or degrade systems important to the County as a whole”; and (vi) whether the proposed amendment would “promote transit ridership and pedestrianism” pursuant to Objective LU-7 and associated policies. Each factor is discussed below:

- i. *Need to Accommodate Population or Economic Growth:* As noted in Principal Reason No. 1 and in the Supply and Demand analysis of this report, the proposed industrial development with ancillary commercial and hotel uses are not necessary at this time given the availability of vacant industrial land and space in the County. (See Supply and Demand section on page 28.)
- ii. *Public Facilities and Services:* Expanding the UDB to include what is now agricultural land without urban infrastructure would significantly impact County facilities and services, especially roadways, parks and recreation, and water and sewer. The applicants have not provided sufficient information to determine the extent of the impacts that the application would generate and thus to determine what mitigation measures may be required.

The applicant submitted a CDMP Amendment Traffic Impact Study prepared by Langan Engineering & Environmental Services, Inc., (Appendix C: Transportation Analyses). That study identifies three existing roadway segments that are impacted by the traffic from the proposed development and are projected to operate in violation of their adopted level of service (LOS) standards in the short term (year 2023). These segments include US-1 between SW 248 Street and SW 268 Street, SW 112 Avenue between US-1 and SW 216 Street, and SW 112 Avenue between SW 216 Street and SW 232 Street. The SW 248 Street and SW 112 Avenue segments are projected to be significantly impacted by the development’s traffic and would require mitigation. Additionally, the traffic impact analysis identifies four roadway segments that are projected to violate their adopted LOS standards in the long term (year 2045). These include SW 127 Avenue between SW 216 Street and SW 232 Street, SW 112 Avenue between SW 216 Street and SW 232 Street, US-1 between SW 248 Street and SW 268 Street, and SW 127 Avenue between SW 216 Street and SW 232 Street. Of these four segments, SW 127 Avenue and SW 112 Avenue are projected to be significantly impacted by the development’s traffic and would need to be mitigated. It should be noted that US-1 is a designated Hurricane Evacuation Route and should be further evaluated to determine if impact mitigation is necessary. Furthermore, the Department of Transportation and Public Works (DTPW) has reviewed the Applicant’s traffic impact analysis and has requested additional data and analyses needed to facilitate the appropriate assessment of the application’s traffic impacts to the roadway network (see Roadways section on page 53). Accordingly, the applicants have not adequately addressed their roadway impacts at this time.

Similarly, the Division of Environmental Resources Management (DERM) has requested a stormwater master plan (discussed in Principal Reason 3(iv) below). And the Parks Recreation and Open Spaces Department has requested additional

information about the Applicant's proposed improvements to the Princeton Trail and to address the parks Equity Access Criteria for Phase III of the proposed development.

Furthermore, the application and proffered CDMP covenants do not contain any commitments to provide the needed public facilities and services to the site for Phase III or even for the earlier phases. The extent of infrastructure and services needed to serve the application site and associated costs have not been fully determined. As noted in Principal Reason No. 3, without such commitments, the CDMP application is inconsistent with Policy LU-8D and Objectives CIE-3 and CIE-5.

- iii. *Compatibility:* The application is potentially incompatible with the adjacent agricultural uses to the east and south. The application contends that it is compatible because the Turnpike and existing canals buffer it from residential neighborhoods to the north and west. But aside from a proposed 50-foot buffer to adjacent agricultural lands, the application does not address in sufficient detail the compatibility with agricultural lands to the east and south.

The application is particularly lacking in information about drainage impacts to the agricultural uses to the east and south, which is important to fully understand potential compatibility issues. In addition to the proposed 50-foot buffer, additional information is needed on how the applicant will reduce the potential adverse impacts of the proposed development on the adjacent agricultural parcels, including the impact of lighting and drainage. Furthermore, the site is located within the Coastal High Hazard Area (CHHA) and, as a result, the applicant proposes to elevate its entire property to address CHHA restrictions. The Applicants' proposed solution will likely require elevating the public infrastructure to the same extent, but the cost of doing so is unknown. Elevating the subject property and the infrastructure to the extent required to address CHHA restrictions could impact neighboring properties that also rely on the same regional drainage system, as water is likely to flow from the newly elevated properties to neighboring properties. The applicants have not provided adequate information and analysis to determine the potential impacts to neighboring properties, particularly as to drainage.

- iv. *Environmental and Historical Resources:* The subject application, if approved, would not impact any historical or archaeological resources, but it is undetermined at this time if the application would impact environmental resources. As filed, the application did not include information regarding natural resources. On June 27, 2021, the applicant submitted a document entitled "Environmental Considerations and Beneficial Impacts," but that document is still under review.

Furthermore, the application is located within the Coastal High Hazard Area. Coastal Management Element Policy CM-9E states in part that:

"Land use approvals, or zoning or other development permits or development orders that would allow for the construction or operation of new non-water dependent industrial or business facilities that would generate, use or handle more than 55 gallons of hazardous wastes or materials per year shall be prohibited in the Coastal High Hazard Area unless demonstrated that: no suitable site exists outside of these areas; and

appropriate measures will be taken to prevent an accidental release during a storm event...”

The application proposes development that runs contrary to this policy requirement, without adequately addressing how the development could be made consistent. The failure to address consistency is particularly significant because, as detailed in Principal Reason No. 2 above, adequate acreage of industrial land is currently available inside the UDB to accommodate industrial growth and development throughout the County at this time, and the application thus does not currently demonstrate that no suitable site exists outside the Coastal High Hazard Area.

- v. *Enhance or Degrade Countywide Systems:* The applicant has not provided adequate information and analyses to determine if the proposed development's impacts to systems important to the County, such as stormwater management and drainage, transit service, and roadways, would be enhanced or degraded.

As discussed in the sections on Roadways (page 58) and Transit (page 66), the Department of Transportation and Public Works has requested the applicants to provide additional roadway impact analyses and transit commitments necessary to address these impacts. This information has not been provided as of the date of this report.

Similarly, DERM recommends that the Applicant submit a stormwater master plan to address stormwater management and flooding. The applicant has provided a stormwater master plan, but it is missing a required environmental assessment, which is key to determining the adequacy of the proposed plan; for example, contaminated sites cannot be used for stormwater management, but the applicants' submittal does not address whether its proposed stormwater management areas contain any contamination.

- vi. *Transit Ridership and Pedestrianism:* That application and supporting materials have not demonstrated that the proposed development would support transit ridership and pedestrianism. Nor do they demonstrate compliance with the LU-8H requirement to assure that a UDB expansion area is served with transit with minimum 20-minute headways. The application site is served by Metrobus Route 35, with bus stops approximately 0.35 miles away (7-minute walk) along SW 256th Street at SW 112th Avenue. While Route 35 currently provides service at headways of 20 minutes, DTPW plans to reduce the service to 30-minute headways as part of the Better Bus Project (BBP) scheduled for approval in Fall 2021. Moreover, the existing bus Route 35 does not serve the entire application site. To meet the CDMP's required transit level of service standards, the applicant must provide new bus stops with full shelters in both directions along SW 112 Avenue and SW 268 Street. The existing bus stop along SW 112 Avenue at SW 256 Street will need two new full shelters, and the existing bus stop along SW 268 Street at SW 119 Place will need a full bus shelter. In addition, the application would require another bus to be added to the Metrobus Route 35 to comply with the 20-minute headway requirement. As of the date of this report, the commitments required by DTPW to maintain transit level of service have not been provided. (See Transit analysis on page 66.)

7. The application is not consistent with CDMP policies to preserve agricultural land and to carefully manage urban expansion to minimize the loss of agricultural land. Staff recognizes that this land is within the Urban Expansion Area and thus could some day be appropriate to convert from agricultural to urban use. But because the applicants have not shown the requisite need for urban uses in this area, the UEA policies do not overcome other CDMP policies calling for preservation of agricultural land.

Applicable agriculture policies include the Ultimate Development Area text of the Land Use Element (page I-88), which provides that “[w]hen the need for additional urban expansion is demonstrated, such expansion should be carefully managed to minimize the loss of agricultural land and to maximize the economic life of that valuable industry.” In addition, Policies LU-1P and LU-1R envision allowing uses in the South Dade agricultural area that are compatible with agricultural activities and associated rural residential uses; those policies call for the County shall take steps to preserve the amount of land necessary to maintain an economically viable agricultural industry. The Conservation, Aquifer Recharge and Drainage Element also addresses agriculture. Policy CON-6D states that areas in Miami-Dade County having soils with good potential for agricultural use without additional drainage of wetlands shall be protected from urban encroachment. CON-6E states that the County shall continue to pursue programs and mechanisms to support the local agriculture industry, and the preservation of land suitable for agriculture.

The premature and unwarranted replacement of ±793.93 acres of agricultural land, the majority of which is “farmland of unique importance,” with urban uses that have not been shown to be needed at this location at this time directly contravenes the above-mentioned CDMP policies. Furthermore, the application fails to make commitments to preserve agricultural lands in other locations, as required by Policy LU-8H.

In addition to the direct loss of agricultural land for unneeded development, drainage, lighting, and roadway impacts to the neighboring agricultural uses are also significant concerns. Because the application lacks information as to future infrastructure plans for all three phases, a complete analysis cannot be conducted. (See Agricultural Land in Staff Analysis page 79.) Due to the lack of information regarding future infrastructure impacts on the viability of the agriculture in the area and the loss of ±793.93 acres of farmland of unique importance, the application is not consistent with CDMP policies addressing preservation of agriculture.

8. The application is inconsistent with CDMP policies regarding coastal management and development in the Coastal High Hazard Area (CHHA). Due to the vulnerabilities associated with coastal storm surge, the CDMP identifies the CHHA as being among the areas least suitable for urban development (Land Use Element page I-88). Section 163.3178(1), Florida Statutes, expresses the intent of the Florida Legislature that local government comprehensive plans protect human life and limit public expenditures in areas that are subject to destruction by natural disaster. The majority of the application site is included within the CHHA, as depicted on ‘Figure 13: Areas Subject To Coastal Flooding’ in the Land Use Element of the CDMP. The application proposes adding 9,305,000 sq.ft. of industrial uses, 120,000 sq.ft. supportive commercial uses, and a 150-room hotel, and allowing up to 84 rural residences in an area predominantly in the CHHA that is now outside of the Urban Development Boundary in agricultural use. To include the property inside the UDB and change the use from agriculture to an urban use would require substantial infrastructure investments. Land Use Element Policy LU-3D, Traffic Circulation Subelement Policies TC-6A and TC-6D, Coastal Management Element Objective 9 and

Policies CM-9A, CM-9B, CM-9E, CM-9F, and CM-10, and Capital Improvements Element Policy CIE-2A address County goals to direct infrastructure investments away from the CHHA. The application and proposed development are inconsistent with those CDMP policies.

The costs to the County from addressing the infrastructure needs of a newly urbanized area are also of concern. Required infrastructure serving a development is typically built by the developer, and those portions within public rights-of-way, including public water, sanitary sewer infrastructure, sanitary sewer pump stations, and roadways, are typically conveyed to Miami-Dade County to be maintained in perpetuity as public infrastructure. The applicant proposes to elevate its entire property to address Coastal High Hazard Area restrictions. This will also likely require elevating the public infrastructure to the same extent, but the cost of doing so is unknown.

Furthermore, elevating the subject property and the infrastructure to address the Coastal High Hazard Area restrictions could also impact neighboring properties that also rely on the same regional drainage system. Those neighboring properties could face flooding risks from the applicants' elevation, which would exacerbate the flooding risks posed by sea level rise over the lifetime of any proposed development. The applicant has not provided adequate data and analysis addressing impacts to neighboring properties, particularly as to drainage. In addition, the impacts of sea level rise on the proposed development and particularly the infrastructure to be dedicated to and maintained by the County should also be considered, particularly because sea level rise could amplify the risks of development within the Coastal High Hazard Area. Considering the risks to property and infrastructure and the environmental concerns associated with the site's location within the CHHA, it is unclear, from the information provided by the applicant, how these risks could be mitigated. This is especially poignant because, as discussed in Principal Reason Nos. 1 & 2 above, no need for the proposed development has been demonstrated at this time.

9. The applicant's proposed text changes to Policy CM-9A are contrary to the County's interest in discouraging additional development and future infrastructure investments in the CHHA. They are also ineffective even on their own terms to address the CHHA issues and could introduce an internal inconsistency into the CDMP. The applicant proposes amending the policy to allow new non-residential development by incorporating mitigation strategies, such as raising the finished floor elevation of structures and the average finished grade elevation of the site, so that the development is raised out of the CHHA. This policy change would specifically benefit this application, but if adopted, it would apply to any proposed non-residential development within the County's CHHA and thereby encourage urban development in an inappropriate location.

The applicant's proposal raises multiple issues, beyond its indefinite language. First, the CHHA is governed by state statute and has changed over time; if the statutory definition changes, then the County would be required to comply with the new definition, and the applicant's proposed changes to exempt itself from the CHHA could bring the County into conflict with state law. Second, the Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model, which is the basis of the state definition, is not updated with regularity. Moreover, it is not the standard by which buildings are evaluated for floodplain compliance during permitting. Thus, regardless of the applicant's attempt to address CHHA compliance in reference to the SLOSH model, all new construction in the CHHA, whether residential or non-residential, would remain vulnerable to storm surge

events from a Category 1 or stronger storm and more so with increased sea level rise. Additionally, a policy to exempt any future non-residential development in the CHHA is contrary to Coastal Management Element goals to reduce densities and intensities in the CHHA. (See Coastal and Emergency Management in Staff Analysis page 80.)

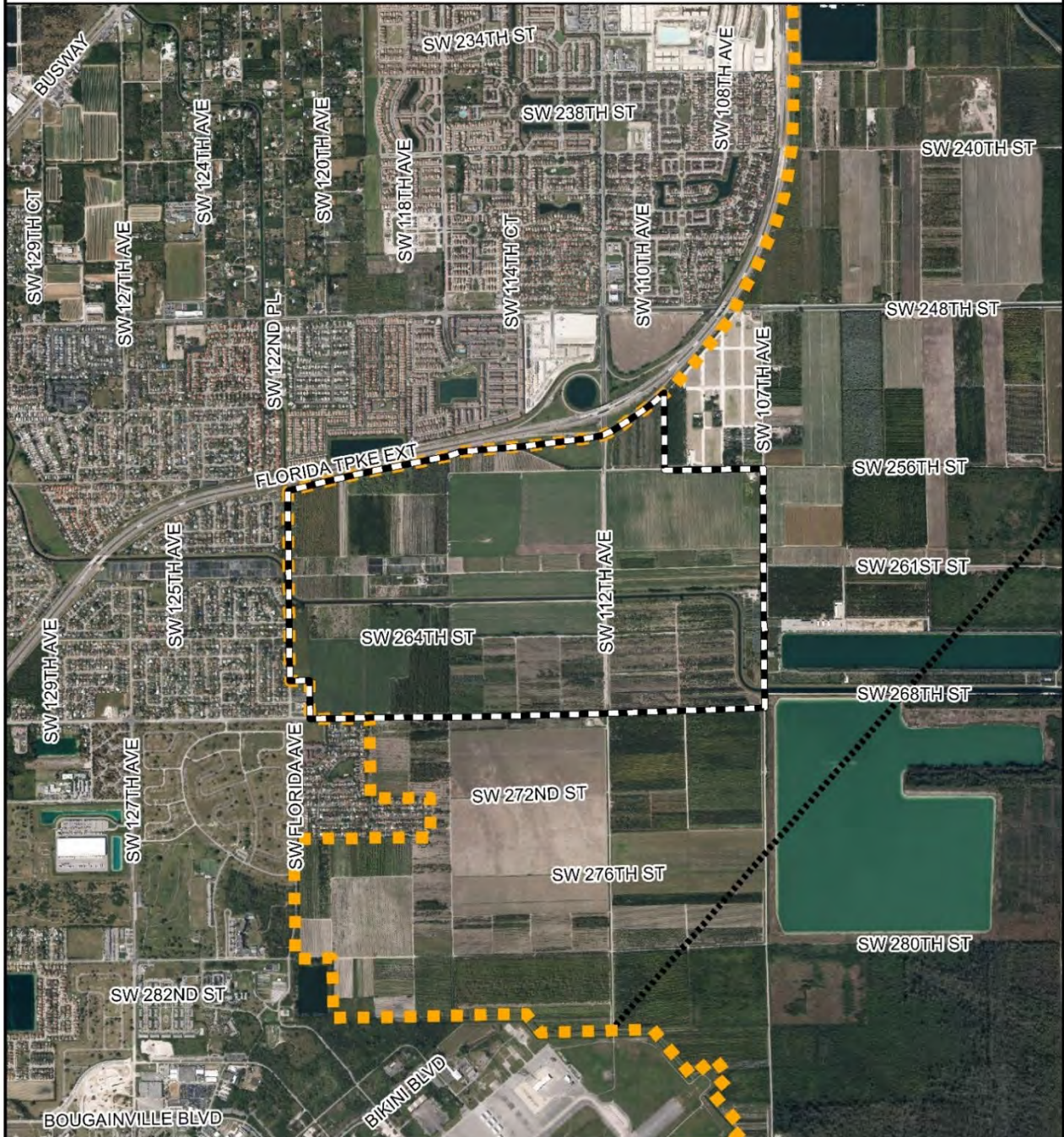
In summary, the applicant's proposed change Policy CM-9A benefits this particular application at the expense of the County's best interest. The language is not definitive or the best benchmark for evaluating mitigation. Making exceptions for new non-residential development is not warranted because such development is still at risk for storm surge and other flood risks. And such new development would still require significant public infrastructure investments and maintenance at the expense of investments in areas where infrastructure improvements and development intensification are more appropriate. The applicant's proposed text change is therefore inconsistent with the CDMP.




10. If approved as filed, the application would encourage the proliferation of urban sprawl. Section 163.3177(6)(a)(9) of the Florida Statutes requires land use elements and amendments thereto to discourage urban sprawl. The statute provides 8 indicators that a plan amendment discourages urban sprawl and 13 indicators that it does not discourage urban sprawl (page 92 in this report). It further provides for a plan amendment to be determined to discourage urban sprawl if it incorporates a development pattern or urban form that achieves four or more indicators for the discouragement of urban sprawl.

The application has not demonstrated compliance with section 163.3177(6)(a)(9). Although the application is located within an Urban Expansion Area (UEA), an area designated for future urban growth beyond the year 2030 when warranted, the application has not demonstrated that there is a need for the proposed development, as discussed in Principal Reason Nos. 1 and 2 above. The application has also not demonstrated the appropriate coordination of land use with transportation and infrastructure planning to ensure adequate transportation facilities and other infrastructure would be provided to the proposed development (see Principal Reason No. 6.ii). Staff's review of the application indicates that, although the application achieves, in part, two of the indicators that it discourages urban sprawl, it implicates six indicators (and partially meets an additional two indicators) that it encourages urban sprawl. The factors that encourage urban sprawl include that the application: fails to adequately protect and conserve natural resources such as farmlands and soils; fails to adequately protect adjacent agricultural areas and activities; fails to maximize use of existing public facilities and services; allows for land use patterns or timing that disproportionately increase the costs in time, money, and energy of providing and maintaining facilities and services; discourages infill development or redevelopment of existing neighborhoods or communities; results in poor accessibility among linked or related land uses; and results in the loss of significant amounts of open space.

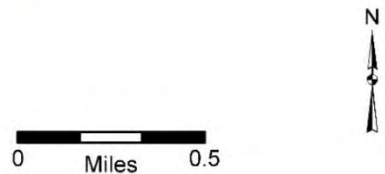
If the proposed amendment were approved, it would encourage the proliferation of urban sprawl. Therefore, approval of the application would contravene the statutory requirement in section 163.3177(6)(a)(9) of the Florida Statutes to discourage urban sprawl.

**ALIGNED REAL ESTATE HOLDINGS, LLC., ET AL.
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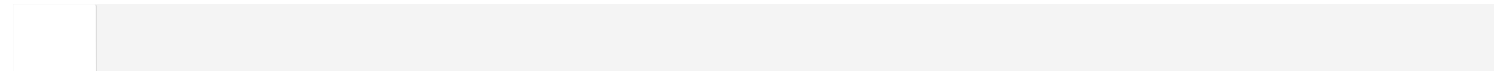


-  APPLICATION AREA
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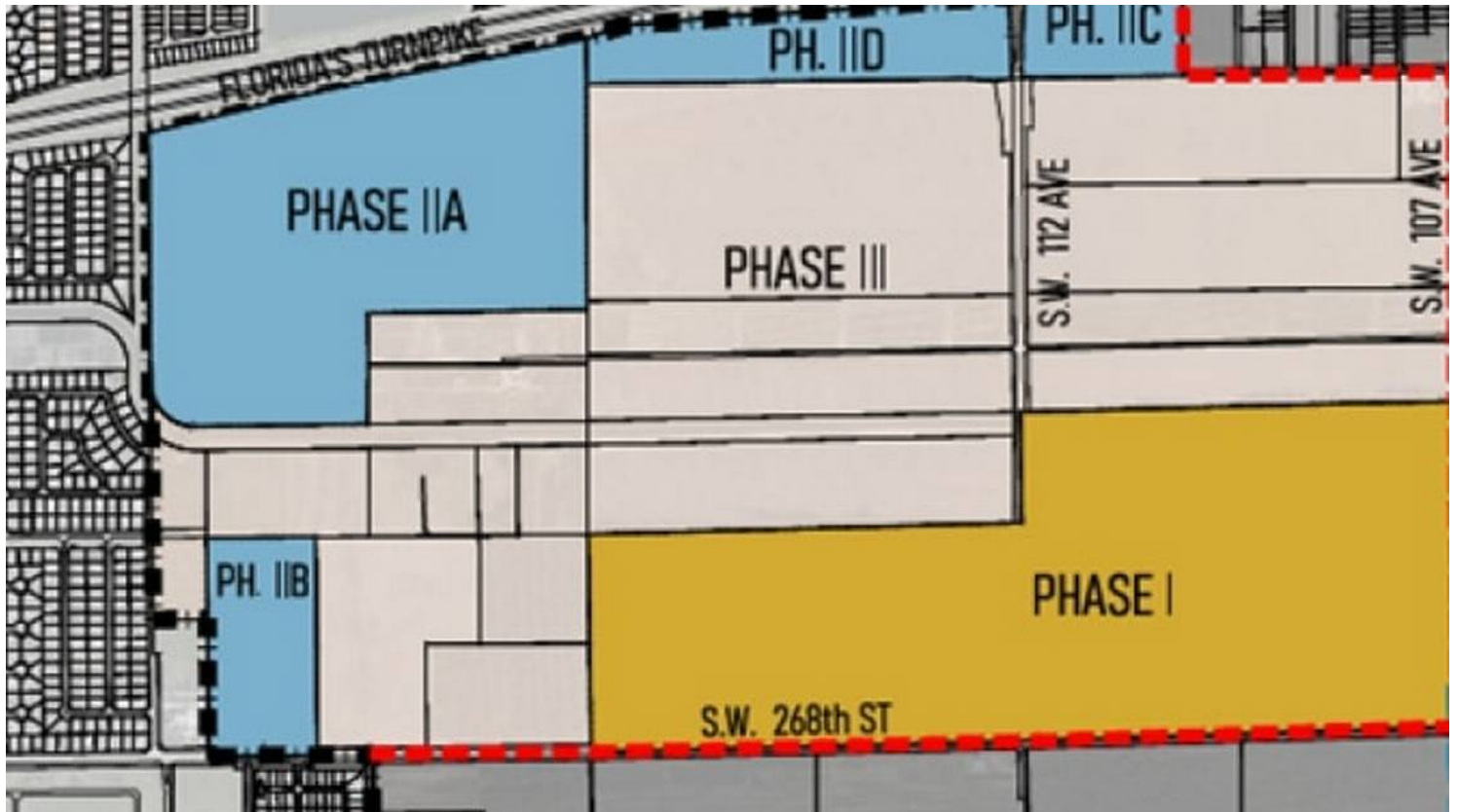
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MIAMI-DADE COUNTY

Will Miami-Dade move urban development boundary for industrial park by Homestead base?

BY DOUGLAS HANKS

UPDATED SEPTEMBER 09, 2021 2:05 PM



A proposed industrial complex in South Miami-Dade County would require county commissioners to move the Urban Development Boundary, which restricts high-density projects. *MIAMI HERALD FILE*



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Miami-Dade County’s new political landscape faces a familiar controversy in the coming weeks: whether to “hold the line” on urban expansion or allow millions of square feet of new development to take over existing farmland.

A push by developers to expand Miami-Dade’s Urban Development Boundary [for a project near the Homestead Air Reserve Base](#) is making its way to a county commission where six of the 13 members are newcomers.

🔒 This story is a subscriber exclusive

TOP VIDEOS

AD



The administration of the county’s new mayor, Daniella Levine Cava, is urging the commission to reject the application by developers Stephen Blumenthal, Jose Hevia and others for what would be Miami-Dade’s largest industrial park — a 9-million-square-foot complex south of the Florida Turnpike, by Southwest 268th Street.

“If approved as filed, the application would encourage the proliferation of urban sprawl,” read an Aug. 13 report from Miami-Dade’s Regulatory and Economic Resources Department, which houses the land-planning and zoning divisions.

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CLAIM OFFER

After winning a vote before a community planning board Monday, the proposed South Dade Logistics and Technology District industrial park faces a hearing before the countywide Planning Advisory Board on Wednesday, Aug. 25, at 10 a.m. in the Stephen P. Clark Center at 111 NW 1st St., Miami.

After that, the proposal heads to the county commission for a preliminary vote that's expected on Sept. 9. If it passes then, a final commission vote would follow a state review of the proposal.



Mark Hall addresses members of the South Bay Community Council on Monday, Aug. 23, 2021. He opposes a planned industrial complex in the Homestead area that would require moving the Urban Development Boundary. By DOUGLAS HANKS DHANKS@MIAMIHERALD.COM

Backers call the industrial center and the projected 8,000 jobs there a lifestyle changer for South Miami-Dade, since it would provide the suburban region with an employment center and spare workers from long commutes to find decent-paying employment in the northern part of the county.

“It is time for this area to get jobs, and allow people to have quality of life,” resident Lourdes Rodriguez, wearing a white Bring the Jobs! T-shirt, said at a planning board

meeting Monday night dedicated to the proposed project. “It’s not enough to just say: go north for an hour.”

That session before the South Bay Community Council ended in a unanimous vote in favor of expanding the development boundary to allow for construction of the new complex. “I travel in the traffic every single day,” council member Christina Farias said. “I definitely look forward to this project.”

The county report states the project would bring industrial space that the southern portion of the county doesn’t need, since there’s enough within the development zone to last through 2040.

The nearly 800-acre site is designed to be a distribution hub for Home Depot and other retailers supplying the fast-growing South Miami-Dade, and would double the region’s existing supply of industrial space.

Commissioners last moved the Urban Development Boundary in 2013, when they approved expanding to include [about 500 acres near Doral](#) that were already surrounded by buildings in what planners considered a “donut hole” of development restrictions that needed to be eliminated.

The Urban Development Boundary, often called the “UDB,” represents a growth barrier separating land allowed for dense housing and commercial uses, including shopping centers and warehouse districts, and rural land reserved for farming and houses with significant land between them. It’s also considered a protection tool for the Everglades and the agriculture industry.

Miami-Dade’s growth rules call for the UDB to expand once the county runs out of land inside it for homes and commercial projects. The proposed project sits on land designated as an area slated for expansion of the UDB once the county is ready for more development sites.

While county planners say land inventory for single-family homes is running out within the development zone, they predict the southern part of Miami-Dade won’t need new acreage for commercial projects through 2040. Should the proposed project get built, planners say the region would have more than a 100-year supply of industrial land.

Advocates behind the project, which includes plans for a 150-room hotel, argue the county’s analysis ignores the need for more employment centers in South Miami-Dade and relies too much on commuting patterns that residents in the area dislike.

“Our focus here is on local conditions,” said Andrew Dolkart, an economic consultant working for the developers. He said South Miami-Dade residents are stuck with long commutes because so much of the county’s decent-paying jobs are in the north but affordable housing is easier to find in the south. “Most people live where they can find something they can afford,” he said.

A developer presentation showed the 800-acre project producing Miami-Dade’s largest industrial park, compared to about 600 acres at the Sawgrass Corporate Park and nearly 500 acres at Beacon Lakes.

Environmental groups are leading the fight against the project, warning it will disrupt efforts to prevent harmful groundwater run-off into Biscayne Bay from adjoining canals that are already a source of fertilizer pollution from the tree farms that are there now.

In an Aug. 23 letter, the Everglades Coalition said the project could doom efforts to fix a canal system “causing havoc on the quality of these ecosystems.”

They’re also warning the land is too low for a major new industrial complex and will be enveloped by rising sea levels. That’s a problem developers say they’re addressing by elevating streets and buildings, with some floors set to be built nine feet above the ground.

The county report warned “neighboring properties could face flooding risks from the applicant’s elevation,” worsening the threat from sea level rise in an area already designated a Coastal High Hazard area.

That was the complaint from Mark Hall, who lives near the farms that would be converted to an industrial park under the proposal. “We need that land to absorb all the water that comes down with the rain,” he told the South Bay council.

This article was updated to correct the address of the project.

This story was originally published August 24, 2021 7:31 PM.



Mark Hall addresses members of the South Bay Community Council on Monday, Aug. 23, 2021. He opposes a planned industrial complex in the Homestead area that would require moving the Urban Development Boundary. BY DOUGLAS HANKS DHANKS@MIAMIHERALD.COM

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Doug Hanks covers Miami-Dade government for the Herald. He's worked at the paper for nearly 20 years, covering real estate, tourism and the economy before joining the Metro desk in 2014.


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Greed will turn another section of Florida into a concrete sewer, on the false pretense of creating jobs. It's called business as usual.

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The 44 Percent: Miami homelessness, Henrietta Lacks and Coconut Grove theater

BY C. ISAIAH SMALLS II

UPDATED OCTOBER 21, 2021 4:03 PM



My pops used to pick up homeless people almost every Sunday on his way to church.

I was young at the time, no older than 10, but remember always being annoyed. My pops lived in Detroit and I would visit him almost every weekend. Hanging out with the city's homeless community wasn't my idea of a good time.

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HOME PAGE

With UDB vote, Miami-Dade shows how hard it is to stop developing in flood-prone spots

BY ALEX HARRIS

OCTOBER 20, 2021 6:00 AM



Developers are trying to pressure Miami-Dade commissioners to expand the urban development boundary, which would help build a new industrial park in a flood and sea rise prone area. But what is the urban development boundary? BY [PEDRO PORTAL](#)



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With proposed UDB vote, Miami-Dade shows how hard it is to stop developing in flood-prone spots

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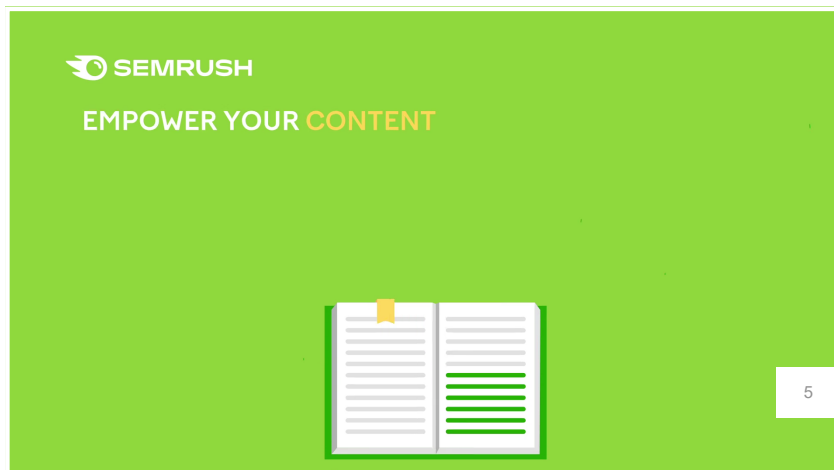
In the four years since Luis Leon bought his home in South Dade, he’s watched rainwater turn to floodwater at least ten times, creeping into his garage and leading, he suspects, to a crack in his home’s foundation.

“I didn’t know it flooded when I bought it,” he said.

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TOP VIDEOS

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He swears that Hurricane Irma’s storm surge brought schools of fish down his quiet street, which is right on the border of the county’s Urban Development Boundary, the invisible line demarcating land fit for development. Properties near that line, known as the UDB, are often among the most flood-prone in the county.

Now that Leon knows flooding is an issue, he worries it will worsen if Miami-Dade County Commissioners agree to turn the 8000-acre agricultural lot next door into an industrial park by expanding that invisible development line.

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When commissioners agreed last month to send a proposal to move the UDB to the state for review, foreshadowing a final vote in the coming months, they also made concrete a mostly theoretical battle about continuing economic development in vulnerable spots.

Though proponents say the proposed South Dade Logistics & Technology District would bring much-needed jobs to the area, Leon and county planning staffers worry that the development could cause flooding in nearby residential neighborhoods. Lee Hefty, head of the county's department of environmental resources management, said the county needs to stop putting more people and buildings in spots that are destined to be flooded by sea level rise and storms.

"We need to quit making vulnerable areas," he said. "We can't continue to put people and development in harm's way."



View of a neighborhood next to an extended farm fields located at 26100 SW 112th Ave, Homestead, that is included in a plan to expand the Urban Development Boundary converting farmland into a 9 million-square-foot industrial park near Homestead. on Saturday, October 16, 2021. Pedro Portal PPORTAL@MIAMIHERALD.COM

Despite that warning from county staff, commissioners voted last month to submit the UDB-moving project from developers — the first proposed since 2013 — to state agencies for their review. After that's completed, commissioners will have one more chance to approve or deny the project.

Miami elections in 2021

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If approved, Aligned Real Estate Holdings would build 9 million square feet of commercial space, potentially including another Amazon warehouse, on land that is among the most vulnerable to storm surge and sea rise-driven flooding in the county.

The land is a rectangular plot just south of the Turnpike extension that connects Homestead with the expressway. It's bounded on the south by Southwest 268th Street and sits between 107th Avenue and 122nd Avenue.

The developers said they want to break ground as soon as January. And they say they are prepared to take extraordinary measures to make the project work.

BUILDING ABOVE THE FLOOD

If a Category 1 storm hit today, it would soak the area with two feet of storm surge, putting it into a category known as a coastal high hazard zone. By 2060, if global warming-causing emissions are not curbed, that area would be under more than three feet of water after a 3-day rainstorm, according to a county staff analysis of the proposed project.

The county's [plans for development](#) have strictly warned against new development of any kind in coastal high hazard areas since at least 2008.

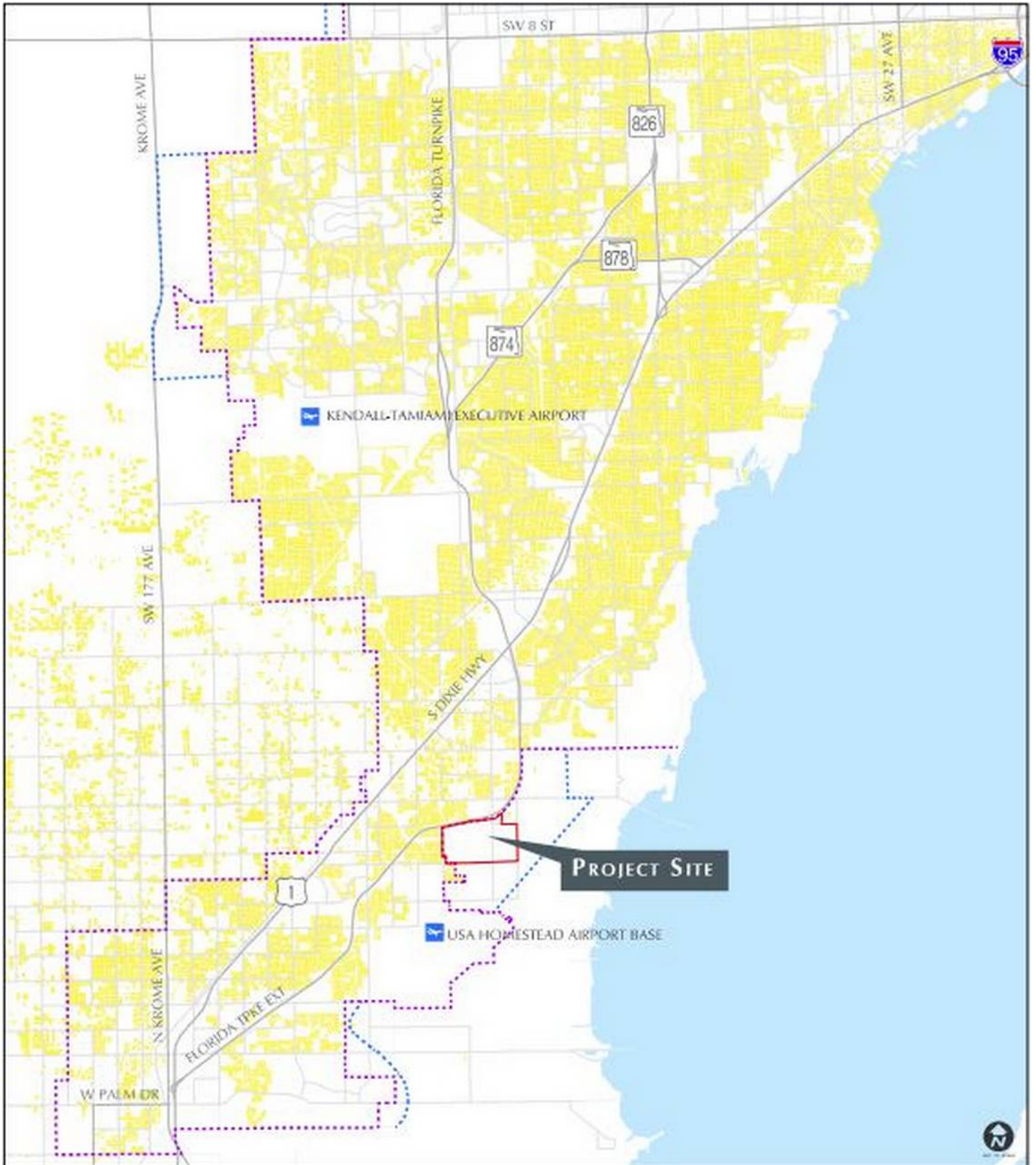
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MAY 13, 2021 7:00 AM

To combat that, the developers said they would build stronger and higher — above what the code requires.

Roads into and throughout the development would be around 5 feet higher than they are now, and about six feet higher than Miami Beach’s newly elevated roads in Sunset Harbour. All buildings would be one foot higher than FEMA requires to maintain flood insurance, which would be about nine feet higher than the buildings that currently exist on the site.



Source: Miami-Dade GIS; Adapted by The Curtis Group 2021

LEGEND

- Project Site
- Single Family Residential south of SW 8th Street
- Urban Development Boundary
- Urban Expansion Area

LOCATION MAP

SOUTH DADE LOGISTICS AND TECHNOLOGY PARK

The proposed site is in South Miami-Dade, in an area categorized as a coastal high hazard zone.
SOUTH DADE LOGISTICS AND TECHNOLOGY PARK

Ed Swakon, an environmental consultant for the project and president of EAS Engineering, said the developers plan to pour dirt on the property to raise its elevation 6.5 feet above sea level and out of the coastal high hazard area.

Swakon said he believes the danger of the coastal high hazard designation has been “way overblown in significance,” which makes it sound like this development is at more risk than projects in other such areas like Miami Beach, Coconut Grove and Coral Gables.

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“There are lots of areas that are coastal high hazard areas and I can guarantee we’re not going to stop developing there,” he said.

To address concerns that the property will dump stormwater on neighbors like Leon, Swakon said the plan would be to build a ring of dirt around the newly elevated property, maybe a foot or two high.



View of a farm fields located at 26100 SW 112th Ave, Homestead, that is included in a plan to expand the Urban Development Boundary converting farmland into a 9 million-square-foot industrial park near Homestead. on Wednesday, September 29, 2021. Pedro Portal PPORTAL@MIAMIHERALD.COM

“We will be capturing all the stormwater on our property at a higher design criteria than is required by the county,” he said. “You can’t do things on your property that adversely affect your neighbors. That has been analyzed and there won’t be an impact.”

Despite promises from Aligned Real Estate Holdings that their calculations show the development won’t exacerbate flooding in the neighborhood, Miami-Dade County planners are skeptical. Hefty noted that the county’s porous aquifer makes it hard to contain water in one place.

“They make it sound like ‘Oh, we’ll retain it all on-site,’ but we know water doesn’t stay on-site,” Hefty said. “Every time you eliminate where water could go, you put more burden on the system.”

DEVELOPMENT VS SEA LEVEL RISE

Miami-Dade faces more risk from rising seas than almost any other coastal county in the nation. Just three feet of sea rise by mid-century (the projection the county is using to guide new development) would put 53,000 homes, 83,000 people and \$21 billion worth of real estate at risk, according to [calculations by Climate Central](#).

The rising sea will eventually flood some areas permanently, and higher sea levels mean more storm surge, which makes hurricanes even more devastating in a region with a long history of horrible storms. And it's unclear how many billions it will take to adapt the main flood control system in the area, the South Florida Water Management District, to keep the water at bay.

Keeping people safe means building higher and farther from the water, two goals specifically outlined in the county's sea level rise strategy released last year.



View of a farm fields located at 26100 SW 112th Ave, Homestead, that is included in a plan to expand the Urban Development Boundary converting farmland into a 9 million-square-foot industrial park near Homestead. on Wednesday, September 29, 2021. Pedro Portal PPORTAL@MIAMIHERALD.COM

“It doesn’t make sense from a resilience perspective to keep building closer to the bay and eliminating that buffer,” Hefty said. “Are we making the same mistake we’ve made for 20 years? We have to think differently. We can’t be stuck in the past.”

Swakon and the developers he represents contest that. He sees a clear difference between building additional homes in the path of rising seas and building a strong, safe office building.

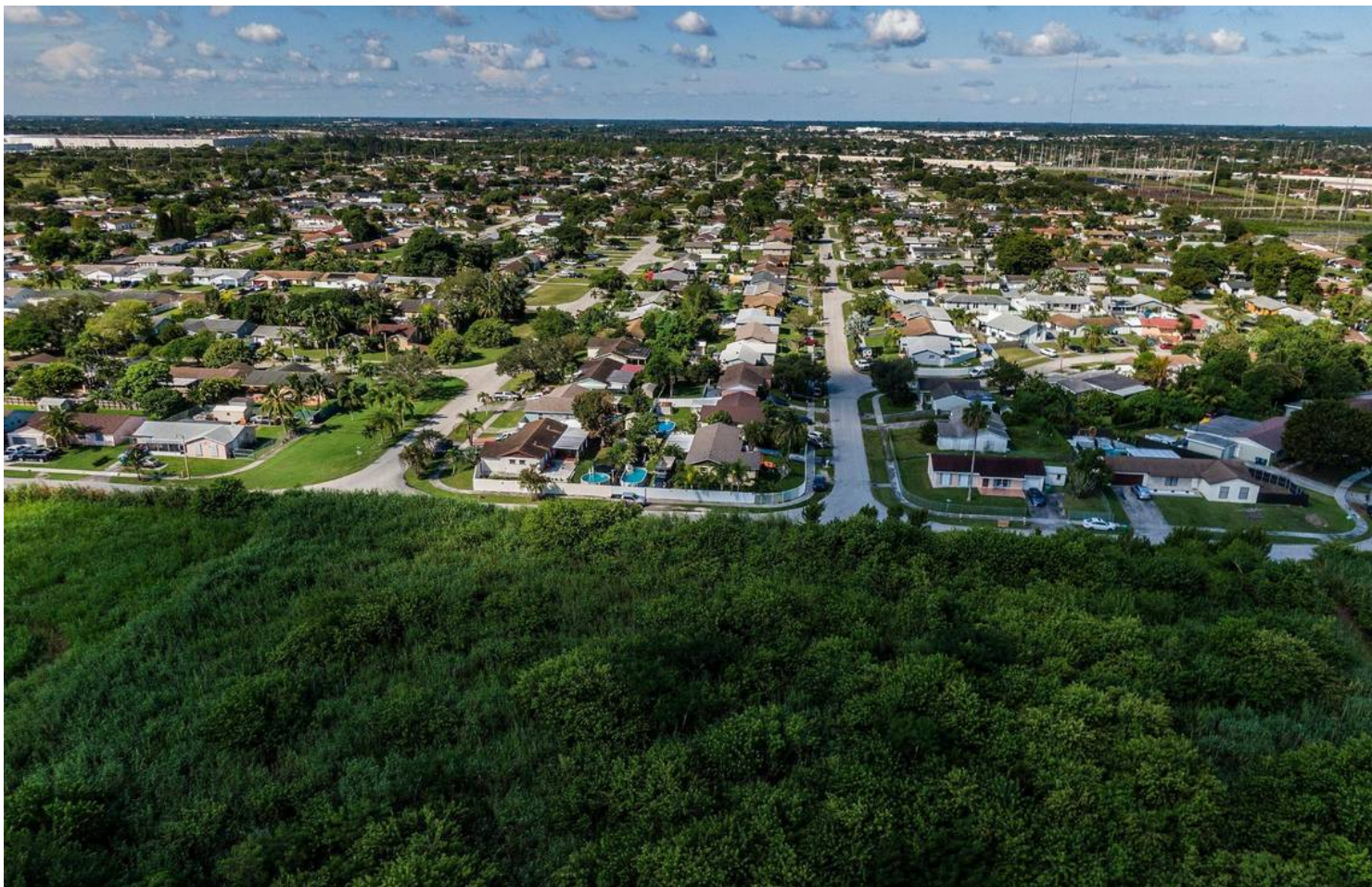
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NOVEMBER 12, 2019 6:00 AM

“I would agree that this is not an ideal place for residential, but by the same token, this is an industrial park that can be designed to the hurricane standards that we have today and the building codes,” he said. “People aren’t going to be there during hurricanes. It provides an employment center that’s closer to where people live so you don’t have people on the roads in an emergency.”



View of a neighborhood next to an extended farm fields located at 26100 SW 112th Ave, Homestead, that is included in a plan to expand the Urban Development Boundary converting farmland into a 9 million-square-foot industrial park near Homestead. on Saturday, October 16, 2021. Pedro Portal PPORTAL@MIAMIHERALD.COM

The County Commission is now faced with a decision coastal governments are struggling with around the world: jobs now or safety later. Rob Moore, a senior policy analyst at the National Resources Defense Council, said the leap from committing to resilience in theory to committing in real life is tough for many local governments.

“If there’s jobs and dollars attached to a decision, local officials just too often jump at the dollars and jobs without any long-term thinking of how many dollars and jobs this is going to cost you when things go sideways,” he said.

Eve Samples, director of Friends of the Everglades, said she hoped that the state agencies reviewing the proposal would see the “obvious flaws” in the proposal and not allow it to move forward.

“It’s common sense that we should limit development in these areas if we’re going to pay to address them later,” she said.

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ALEX HARRIS

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Alex Harris covers climate change for the Miami Herald, including how South Florida communities are adapting to the warming world. She attended the University of Florida.

PROMOTED CONTENT





MIAMI-DADE COUNTY

What's the Urban Development Boundary, and what does it mean for Miami-Dade County?

BY DOUGLAS HANKS

OCTOBER 20, 2021 6:00 AM



Developers are trying to pressure Miami-Dade commissioners to expand the urban development boundary, which would help build a new industrial park in a flood and sea rise prone area. But what is the urban development boundary? BY PEDRO PORTAL



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Pushing the Boundary

With proposed UDB vote, Miami-Dade shows how hard it is to stop developing in flood-prone spots

EXPAND ALL

For decades, some of the biggest fights over construction, sprawl and the environment in Miami-Dade County have involved something invisible that literally only exists on paper: the Urban Development Boundary.

Here are some questions and answers to help understand the role of the "UDB," why it's a source of perpetual conflict between developers and environmentalists and

what it means for Miami-Dade County housing.

What is the Urban Development Boundary?

TOP VIDEOS

AD



The Urban Development Boundary is a legal divide on Miami-Dade's land-planning maps that governs how much construction can occur on a piece of land. It's about 78 miles long.

Outside the boundary, county rules limit residential construction, typically to single homes surrounded by [five acres of land](#). Inside the boundary, the rules are far looser, ranging from suburban subdivisions with six homes on an acre to high-rises in downtown Miami with hundreds of apartments.

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What about commercial construction?

The UDB serves the same purpose for commercial construction, with strict limits outside of the boundary and a range of looser rules inside it.

The primary purpose is to encourage development closer to existing houses and businesses, where roads, transit lines, schools and other government services already exist. The UDB also serves as a buffer between development and environmentally sensitive lands around the Everglades. Most farms operate outside the UDB, and the boundary is designed to shield agricultural land from development.

Can it move?

Yes. County rules governing the UDB say it should move once Miami-Dade has fewer than 10 years' worth of land to meet construction demands within the Urban Development Boundary. The county uses forecasts on population growth, construction and demand for residential and commercial real estate to predict when land with those categories would be depleted based on existing trends. The forecasts are adjusted multiple times a year.

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So once the county is out of vacant lots, the UDB moves?

No. The county also considers whether land within the UDB could be redeveloped into a project that utilizes more of the acreage than exists today — such as a lot with a townhouse community that's zoned for a high-rise tower. There are already areas outside the UDB designated as "Urban Expansion Areas," where the boundary should move once land runs short inside the UDB.

Can the UDB move even if land supplies aren't exhausted?

Yes. The county commission can opt to move the UDB based on other considerations, and can look at land supplies near a proposed project.

How long has Miami-Dade had the UDB?

Since [1983](#).

Has it moved since then?

Yes. The last time was in 2013, when county commissioners added about 500 acres for an industrial project in the Doral area.

What's on the other side of the UDB?

Lots of farmland. Also rock-mining operations, wetlands, the federal Everglades National Park, and some well-traveled roads, including Krome Avenue.

Who can move the UDB?

County commissioners, with a two-thirds vote on the 13-member board.

Didn't that just happen?

No. On Sept. 9, commissioners in a 9-3 vote agreed to advance an application to expand the UDB near Homestead to construct a 9 million-square-foot project called the [South Dade Logistics and Technology District](#) industrial park. That vote forwarded the application to Florida regulators for review. A final vote is required by the commission to extend the UDB, and that could come later this year or in 2022.



View of a farm field at 26100 SW 112th Ave., Homestead, that is included in a plan to expand the Urban Development Boundary by converting farmland into a 9 million-square-foot industrial park near Homestead. What exactly is the UDB? We have answers to that. PEDRO PORTAL PPORTAL@MIAMIHERALD.COM

DOUGLAS HANKS

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Doug Hanks covers Miami-Dade government for the Herald. He's worked at the paper for nearly 20 years, covering real estate, tourism and the economy before joining the Metro desk in 2014.

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MIAMI-DADE COUNTY

'Bonded By Tragedy' recounts 30 days in Surfside as families awaited answers

BY LINDA ROBERTSON
OCTOBER 20, 2021 6:00 AM



In the aftermath of the collapse of Champlain Towers South, Miami-Dade Fire Rescue Assistant Chief Ray Jadallah thought he would be supervising a search-and-rescue operation that would reunite distraught relatives with loved ones trapped in the rubble. He thought he would be giving a message of hope to many family members waiting for answers in Surfside.

Instead, as the days and nights wore on, Jadallah realized he could only deliver bad news. No one was pulled alive from the pile after the initial hours when only four injured people were rescued from atop the rubble. After that, there were no survivors. In the month that followed, the toll grew to 98 dead. Their remains were all found and identified.

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Florida COVID update: 3,096 cases and 430 deaths. Most people died in the past 28 days

UPDATED OCTOBER 18, 2021 8:53 PM

Miami private school says students who get COVID vaccine must stay home for 30 days

UPDATED OCTOBER 19, 2021 12:41 AM

Colin Powell was vaccinated but died from COVID. Here's why the rare event is possible

UPDATED OCTOBER 18, 2021 1:31 PM

